

**CONVERSATIONS ON PARLIAMENTARY
PRACTICE AND PROCEDURE**

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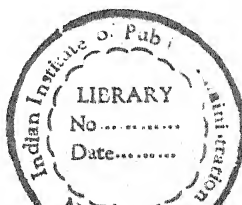
Record of Conversations held in London
in October, 1948 between the Officers of the
House of Commons and Mr. M. N. Kaul and
between the Chief Whip, House of Commons
and Shri Satyanarayan Sinha and
Mr. M. N. Kaul

Vol. 1



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PREFACE

In the Autumn of 1948 I accompanied the Indian Parliamentary delegation to the Commonwealth Parliamentary Conference in London. I took advantage of this visit to study in detail the parliamentary procedure in the House of Commons. I have written a separate memorandum on the reform of parliamentary procedure in India based on my study of the procedure in the House of Commons. In this booklet I have edited and put together in a systematic form the record of my conversations with important officials of the House of Commons. These conversations cover a wide range of subjects and it may perhaps be useful to have them in a printed form as many of the matters dealt with in the conversations will from time to time come up for decision in India in the course of the evolution of parliamentary procedure and administrative matters.

2. The arrangement followed in this booklet is as follows :—

Part I contains a verbatim record of conversations with the Officials of the House of Commons and the Chief Whip.

Part II contains a summary of other conversations with the officials of the House of Commons.

Part III contains a collection of certain useful documents obtained from the House of Commons.

3. I must record here what I have already said to the Officials of the House of Commons and other officials of the Whips Secretariat and the House of Lords how deeply grateful I am to them for the unfailing courtesy shown to me and the facility afforded to me during my very short stay in London.

M. N. KAUL.

NEW DELHI :

May 27, 1949.

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PART I

**Verbatim record of conversations with the Officials of
the House of Commons and the Chief Whip.**

M

M

1st October, 1948

Mr. M. N. Kaul and Mr. E. A. Fellowes, Clerk
Assistant, House of Commons

(Mr. Satyanarayan Sinha, Govt. Chief Whip was present)

SYSTEM OF RECRUITMENT

MR. KAUL How do you select your men?

MR. FELLOWES Supposing we have one vacancy. We may get a couple of hundred chaps applying for that post. They have of course to apply in the prescribed form. We select, say, fifty out of these applicants and call them for an interview. As a result of the interview, we nominate, six, or perhaps, eight men for each vacancy. These candidates are asked to take the Civil Service Examination, and the topmost man is selected to fill up the vacancy, provided that he has reached the standard which the Civil Service Commissioners consider is good enough for an administrative post. That means so far as the men selected by us on interview are concerned, the test is partly a competitive one and partly qualifying.

Very often there are a number of posts to be filled in the ordinary civil service on the results of the examination. The Civil Service may take the first 38 candidates. Supposing our top fellow was No. 40. The Civil Service Commissioners would consider whether he had reached the standard which would have been good enough for the civil service in the ordinary way. We do not bother whether he is in the first 38. We take him just the same, even though he is the 40th in rank, provided that he had reached a reasonable qualifying standard.

MR. KAUL

It is a pretty elastic system; isn't it?

MR. FELLOWES

Quite, it is so. But, in actual fact, the decision whether a man has reached a certain standard is not taken by us, but by an outside authority. The selection is really ours, subject to the standard being satisfied. And eight for one is a pretty fair selection.

In the first instance persons so selected are appointed as Assistant Clerks, which corresponds to the lowest grade in the Administrative Civil Service—the Assistant Principal in the Civil Service.

There may be not more than 12 Assistant Clerks, but we have now a system whereby we could have 32 clerks, apart from the three Clerks at the Table. Of course, the Clerks at the Table are selected from among the Clerks, and about one man in each generation gets at the Table and that by a rigid process of selection.

We stick to this system of recruitment as the candidates nominated on the results of normal competitive examination are unfortunately not the type of men that we want. In other words, they do not fit into our groove. We actually want mixers, that is, men who will get along with Members, who will put through matters, who understand human nature and have personality. We do not get such type of men purely on the results of the examination. This difficulty we have solved by making a preliminary selection and asking the candidates to take the competitive test. We are very particular of the men coming through the test so that no charge of favouritism may be levelled against us.

As I said, these candidates are in the first instance appointed as Assistant Clerks. They

are after some period promoted to Senior Clerks. And then there are posts of five Principal Clerks, each one of whom is the head of a department. There are in addition three Clerks at the Table, the bottom one of whom, the Second Clerk Assistant, is in charge of a Department.

MR. KAUL

One of the main difficulties with us has been that there is constant complaint from our staff that the promotion in our office (being a small one) is blocked. For long periods of their service they have little chance of promotion, compared to their opposite numbers in the Secretariat Offices.

MR. FELLOWES

Well, we solved it only as late as 1945. For instance, I myself served for 14 years before I became a Senior Clerk, that is to say, I was never getting a salary of more than £ 600 a year between the period 1924 to 1938. That indeed is a small salary compared to my opposite number in the Civil Service.

We solved this difficulty by saying that after six years a man comes to us, provided he is certified as efficient by the Clerk of the House, he should be promoted to be a Senior Clerk, regardless of whether there is a vacancy or not. Our establishment is now elastic in that we are allowed 32 posts of Senior and Junior Clerks. It may well happen that at a particular time all the 32 may be Senior Clerks. A man who has put in six years of service, provided he satisfies the test of efficiency, automatically becomes a Senior Clerk.

The establishment is not divided between Senior Clerks and Assistant Clerks. It is widely flexible and elastic. We reckon the usefulness of a man, provided of course he is intelligent and industrious, by the length of his service with us. The longer a man serves, the more useful he

becomes, and we have succeeded in establishing this cardinal and salutary principle that a man gets promoted to senior clerkship by reason of his length of service, provided he fulfils the test of efficiency. This is made possible because the provision regarding establishment of the House is framed in an elastic manner.

This is the outcome of the report of a private Committee appointed by the Speaker. The Speaker is the Chairman of our Commissioners. We are not civil servants; we are the servants of the House of Commons and under an Act of Parliament we are governed by the decisions of the Commissioners in regard to our conditions of service. The Commission consists of the Speaker, as Chairman, the Chancellor of the Exchequer and one of the Secretaries of State (who is a Member of the House) as members.

MR. KAUL Does that Commission meet pretty often?

MR. FELLOWES It meets very rarely. Matters are settled by means of correspondence among the members. They meet only if there is any matter of considerable importance.

Coming now to our subject, the report that was made to the Speaker in 1945 was ultimately approved by the Commission. We had of course prolonged negotiations with the Treasury, particularly at a lower level. Mr. Metcalfe, who at that time was acting for Sir Gilbert Campion, had lengthy correspondence and discussions with the Establishment Branch of the Treasury, and was able to convince them that our case was quite a good one. There were some modifications in the scheme recommended by the Committee, but they were comparatively minor ones.

MR. KAUL How did you convince them of the justification of your proposal? What material did you pro-

duce before them? In India I put forward a scheme for the reorganisation of the Secretariat of the Parliament and the Ministry of Finance asked me to produce statistics to justify my proposal. As you know, our work is not of a character which is susceptible of being judged in terms of statistics alone. The work we do is not of that type which they do in Government offices, and, in the nature of things, if one were to put on paper whatever he does in the course of his parliamentary work, it will fill up volumes. How then were you able to satisfy the Treasury of the volume of your work?

MR. FELLOWES They did scrutinize our proposals as well. But you know, the Treasury, after all, have some idea of the quantum and nature of parliamentary work, because they themselves are very largely concerned in it.

I should of course tell you that our Speaker did take a very firm line. He said, "I should have officials for the House of Commons who are of the same ability and status as the officials of the Civil Service. We have constantly to deal with the Civil Services on behalf of the House of Commons and if you do not have people of equal ability and status serving the House you will have the House of Commons defeated. I will not let that happen, and if necessary I will go to the House direct on this matter."

The Treasury do not regard us as really administrative staff, because they say that our work is not of an administrative nature and that to a certain extent is true. We do not administer a large department. All the same we do equally important work and the strain involved is tremendous.

(ii) ORGANISATION OF THE HOUSE OF
COMMONS

MR. KAUL

I think, in a sense, our work is of an executive nature. Sometimes you have just a few seconds to make up your mind. You are always in a parliamentary battle field, as it were. And it requires the combination of a number of rare qualities to make a good Officer of the House. You may not be able to get the right type of men always.

MR. FELLOWES

Yes, indeed. As you know the crucial part of the work of the House is at the Table, and you should have A1 men there. But outside the House as well you want a variety of characteristics; for instance in our Research Section, and in our Journal office, where we keep the records of the House, we want something in a hurry, the Table wants a precedent, out goes the message and in a few seconds, as it were, the right material is brought.

We have four Departments :

- (i) The Journal Office.
- (ii) The Public Bill Office.
- (iii) The Table Office.
- (iv) The Committee Office.

The Table Office roughly serves the Clerks at the Table from the point of view of dealing with other Government Departments, particularly in the matter of questions. They also act as a general information bureau to Members. The Table Office is just behind the door of the House, so that Members can go there for any information about matters of procedure. The clerks there give them the information, if it is immediately available and if they can. If they are not able to do this they direct the Member to the right man in the House.

MR. KAUL

One admirable feature in your organisation is that, generally speaking, the different officials are inter-changeable, from the point and standard of ability. That, certainly, is a great convenience. Sir Gilbert, Mr. Metcalfe and yourself have all attained such a high degree of efficiency that one can at any time take over the work of the other in the sense that all of you can give advice on matters of day to day work of the House. That is what exactly we have not attained in India. There is such a wide gap in the levels that the strain is always thrown upwards.

And from the symposium that I was reading, I could certainly make out that whoever was speaking about his work had attained a high standard in his own line, that they had a grasp, that they had a judgment and that they could deal with situations and all that they wanted was a little guidance and direction. The impression that was left in my mind was that the staff was highly efficient.

MR. FELLOWES

I hope that is so.

MR. KAUL

We will now have a House of about five hundred and as you know the tasks will become much more tremendous. The officer cadre should be able to cope with it, and at the lower level the quality of the staff must be improved. Of course, on matters of procedure of parliament there are a number of books, but they do not give any idea about the office organisation and other matters vital to the day to day running of the machinery.

MR. FELLOWES

The Clerk of the House, you are perhaps aware, is in charge of only one of the three Departments of the House. There is the Sergeant-at-Arms, who has a separate establishment altogether.

MR. KAUL

Yes, the Clerk at the Table is not worried with detailed matters. But in India, reference on any point may be made to me. For instance, I will be busy with some Bill or amendment; any Member will come up to me and ask me about his travelling bill, or accommodation, or even a pass. Here the tendency is for the responsibility to be taken by self-contained independent units. In India the tendency is to centralise.

MR. FELLOWES

I think that it is good in one respect that you remain in general control of the whole thing. My experience is that in all new Legislatures, particularly in France, Italy and most of the other countries that I have visited, the Clerk of the House or the Secretary-General, as he is called, is ultimately responsible for everything but the responsibility must be delegated and people must go to the delegated officer.

As you know our system here is a gradually grown up one, and it is not right to try to transplant it in your soil. On the whole it is much better that the Clerk of the House should be ultimately responsible for the services of the House. This is all the more necessary in the matter of funds.

MR. KAUL

Have you to send your estimates to the Treasury every year?

MR. FELLOWES

The estimates are scrutinised by the Treasury in the same way as for any other Department, with this difference that "the control of the Treasury over the estimates is limited to items which do not relate to the personal remuneration of officers. General control is vested in the House of Commons Offices Commission, created by the House of Commons Offices Act, 1812, the House of Commons Officers Act, 1834 and the House of Commons Offices Act, 1846."

The Accounting Officer prepares the estimates, which are countersigned by the Speaker. They go to the Treasury, who can criticise them except as to salaries of officers.

MR. KAUL Does criticism imply that they can cut down the estimated amount?

MR. FELLOWES Well, if the Commissioners chose to raise the salaries of the officers of the House of Commons and put them in the estimates, the Treasury could not say this seemed to them to be wrong.

Like so many things in this country it is done in a unique way, because the Chancellor of the Exchequer is a Member of the Commission. The Treasury of course have their say before anything is decided by the Commission. The proposals are never defended in the Committee, except possibly the supplementary estimates raising the salaries of Members. The raising of the salaries of the Members at the beginning of this Parliament caused some slight discussion. But that is quite a different thing from defending the estimates in the House of Commons.

(iii) RELATIONS BETWEEN THE SPEAKER AND THE CLERK

MR. KAUL What exactly is the nature of the relationship between the Speaker and the Clerk of the House in matters of administration. Is there any interference by the Speaker?

MR. FELLOWES I should say it is almost nil and the Speaker does not look into office matters at all.

MR. KAUL In India the Speaker looks into greater detail in matters of office administration. Normally, no Speaker ever interferes in the Clerk's discretion, but if he asks for any information, or wishes to know certain matters, they are put up to him. For instance, if a supersession is

involved I normally put up the case to him, and there has never been any room for disagreement with the Speaker.

MR. FELLOWES We rarely bother the Speaker on such matters. It may be that the Clerk would take a letter along with him and show it to the Speaker, and ask him whether he would reply to it. The Speaker would say, "Thank you, you yourself may reply to it" and he would be glad to be rid of it.

(iv) PUBLICITY

MR. KAUL Are you in any way responsible for helping the proper and correct publicity of the House of Commons proceedings?

MR. FELLOWES Not at all.

MR. KAUL You are perhaps aware that in our Parliament advance copies of answers to questions are sent to us. Here, when the Minister is answering, you do not have a copy of the answer with you at the Table.

MR. FELLOWES I deprecate that practice.

MR. KAUL Well, whatever it might be, it is our practice in the Parliament to supply an advance copy of the answer to the Press, through the Press Gallery Committee.

A Minister who is to answer a question comes to me and says that he has made an eleventh hour correction in his answer to a particular question. I have immediately to send a man to the Press Gallery to have the correction made out in the copy supplied to the Press.

MR. FELLOWES It happens the other way about with us. No Minister sends his replies to the Press until after the end of the question hour. Now it is possible for a Member during the time of questions

to come to the Table and say : "I want question No. so and so postponed from today until another day". I am responsible for notifying the Members that that question has been postponed. We inform the Editor of Official Reports at the end of each question hour and the Editor then becomes responsible for stopping that answer getting into the Press. All the answers come to him at the end of question time and he sends them to the Press.

MR. KAUL

In regard to speeches and important statements of Ministers, for instance, the All India Radio's correspondent wants a copy of the Minister's speech immediately it is delivered in the House. They go to our reporters and informally take from them an uncorrected copy. (Under our rules, corrected copy comes from the Members after 24 hours. In your case you rely upon the Reporter's copy.) The Prime Minister makes an important statement. The Press come to me and ask for a copy to be supplied immediately.

MR. FELLOWES

It is a matter for the Minister himself to attend to. We are not responsible in any way for supplying the Press with any copy, with a view to ensure that what happens in the House is correctly reported. You never can do that and I should be very very chary for taking on me the responsibility for the correct publicity of Members or Ministers' speeches. Supposing something goes wrong and the Press publish something which is incorrect. An officer of the House then becomes responsible. Anybody who publishes an incorrect version of the proceedings of the House commits a breach of the privilege. In practice, of course, you can publish what you like, provided that it is correct or reasonably correct; but if you misrepresent somebody in the

Press, you can be proceeded against. And my own feeling is that you will put yourself in a false position if you were to take upon yourself the responsibility for the correctness of whatever is reported in the papers.

Let the Ministers themselves be responsible for their own publicity. Let them make whatever arrangement they wish for the publicity of their speeches or statements. And then there are plenty of lobby correspondents, and any publicity they wish could be got done through these correspondents.

(v) REPORTS OF SELECT COMMITTEES

MR. KAUL

Take, as an instance, a report that is presented to the House. In your case it is published at the same time and people can go to the Stationery Office and buy them. What happens in my House is that a Select Committee reports at 5 P.M. Immediately a manuscript copy is presented. It takes overnight to get it printed. The Press naturally want it at once.

MR. FELLOWES

We should never dream of giving it to the Press. The only answer to them is that the Press have no right to get a copy until every Member has got it. No document of the House should be made available to the Press or the public until it has previously been made available to every Member.

In our case what exactly happens is this. The Clerk brings in a notice from the Committee Office saying that such and such a Select Committee on Public Accounts, for example, made their second report to the House and we then formally make the order for printing it. He then sends the manuscript to the printers straightway. If it is actually laid on the Table

you cannot prevent Members looking or going through it.

MR. KAUL In India the practice has grown up that as soon as a report is presented, a copy of it is hung up on the notice board and the Press naturally take down notes for their report from there.

MR. FELLOWES I should have thought that to stop that practice the best way would be to persuade your committees to have their reports printed before they formally make them to the House.

MR. KAUL That means delay in the proceedings of the House.

MR. FELLOWES As a rule it takes about a week at least to get the report printed after a committee has reported, because our House does not like consideration of a report, unless it has got the evidence also on the basis of which the Committee came to their conclusion.

(vi) MINUTE BOOK

MR. FELLOWES The notes that are being made by the Clerks at the Table in reference to the progress of the business of the House constitute what is called the Minute Book. It is the only authoritative document as regards the procedure of the House, because it is the man who is actually sitting at the Table who is watching the proceedings. This Book goes out several times during a day to the Votes and Proceedings Office. The reporters have nothing to do with the procedure of the House. They are responsible only for the proceedings of the House. There are in fact some portions of the invisible proceedings of the House. All reports of Committees are done that way. A message comes from the Lords to the Table of the House and the proceedings of the House are not disturbed.

MR. KAUL

In India what happens is that the Clerk at the Table reads the message to the House. In that way it is ensured that all of them get into the proceedings.

MR. FELLOWES

In that case you must regard your reporters' proceedings in quite a different way from what we do here. The reports are a new innovation with us here. The Clerks at the Table existed years before reporting was allowed at all and the Votes and Proceedings of the House were compiled from their books since the year 1680.

Therefore the Clerk Assistant and the Second Clerk Assistant are responsible for noting everything that is done in the House; not everything that is said, which is recorded by reporters. We put down the motions, of course, and what happens to the motions. While the Minute Book is the authority for what is done, Hansard is the authority for whatever is said.

There are two volumes of the Minute Book kept, one by the Clerk Assistant and the other by the Second Clerk Assistant. When the Clerk Assistant leaves the Table, the work is continued by the Second Clerk Assistant and *vice versa*. For instance, when I leave the Table, I will make an entry "See Mr. Metcalfe's book". I do so because I am not going to have anything foisted on me which I did not see or know. I think it is important that you must have the responsibility pinned on somebody.

The form in which we put down the different items may not be technically correct. We have our own way of recording these forms. Our contention has always been that we have experts in the Votes and Proceedings Office who are responsible for putting the entries in my book

into the correct form. I am responsible for seeing that they have the information to work on. I can well remember that so long as Mr. Webster was here, he insisted on people going to him for these different items to be put in proper technical forms, as he himself was an expert on forms. But my own opinion is that the Clerk of the House ought not to be bothered with these matters. We have a proverb which says that you do not keep a dog and bark yourself. Why then bother when you have experts who are responsible for a particular thing?

(vii) PUBLIC BILL OFFICE

MR. KAUL

Amendments to Bills, in our Parliament, are a rather complex affair. Although the time-limit is 3 P.M. the practice has grown up for amendments to be handed in as late as 6 P.M. My men refer them to me. They put them in proper shape and form and have them stencilled by 12 o'clock at night. Then the distribution machinery sets working, and the cycle messengers distribute papers to the Members at night. Is that the system here?

MR. FELLOWES

The practice with us is that anybody living within a distance of four miles receives his parliamentary papers by 9 o'clock in the morning. The distribution is done by the Vote Office. We receive amendments right up to the rising of the House. Then we make an attempt to put them in form. Although I have tried to impress on Members the necessity of giving amendments in proper form, they scribble something and pass on to the Table. If you return them, they get annoyed. Putting the amendments in proper form takes a little time and the work on it requires some skill. That is all done by the Bill Office.

The Second Clerk Assistant is theoretically responsible for everything that appears on the Order Paper. He, however, sends all that portion of the work relating to the Bills to the Public Bill Office and if they go wrong the Second Clerk Assistant is officially to blame; at the same time he knows that he has delegated that responsibility and he can then pass on whatever rebuke he receives to the Public Bill Office.

MR. KAUL How does the Public Bill Office deal with these amendments?

MR. FELLOWES In the Public Bill Office there are independent sub-sections as it were to deal with different items.

MR. KAUL What happens to the papers of Members living more than four miles away?

MR. FELLOWES Well, they have to come and fetch their papers. Of course, our Vote Office send a set of papers by post, but that does not reach them in time. Distribution is done by messengers, either on cycle or on foot.

The Public Bill Office plays a large part in the matter of amendments. At the Table I cannot have a copy of every Bill in front of me. A Member comes and says "I want to put in an amendment to the Finance Bill—I think it is clause so and so." I probably have got several other things to do besides this. So, I tell him, "Would you mind ringing up the Public Bill Office and asking for one of their clerks to come down to the lobby behind the House and he will put your amendment in right form, and probably tell you whether it is likely to be in order or not."

We never take any responsibility for the legal aspect of any amendment. All that we do is

you the right form to put the amendment. Whether your amendment is legally correct or not we cannot say. Well, if a Member were to come and say "I want to change the provision of such and such a paragraph to something else", all that our Public Bill Office would do is to say, "Well, in form you can do it this way. It looks as if this is the sort of thing you want to do. But we cannot guarantee that it is legally correct."

There are about six clerks in the Public Bill Office, two of whom are on duty till the House sits

(viii) HOURS OF BUSINESS

MR. KAUL When the House sits up to 2 o'clock at night, how do you give rest to your men?

MR. FELLOWES On the whole there are about 10 clerks on duty at night. So far as the Clerks at the Table are concerned, we are on duty every night, except that pressure has been so heavy recently that each one of us have taken one night a week off, after dinner time. That means on three nights in a week, there are only two Clerks at the Table.

MR. KAUL Does the House adjourn for dinner?

MR. FELLOWES No, it does not. It sits continuously. Normally the House sits for 160 week days, that is, excluding Saturdays and Sundays, which means about three quarters of a year.

(ix) ARRANGEMENT OF BUSINESS

MR. SINHA So far as the arrangement of the business of the House is concerned, our procedure has now settled down to this. There is a priority committee of the Cabinet, assisted by the Secretary of the Ministry of Law. They settle the priority of government legislative business. The Ministry

of Law is in charge of drafting of Bills and the Secretary in that Department gets into touch with the Administrative Secretary of various Ministries with a view to prepare a programme as to which legislation they want to push through Parliament. The Committee discusses it and settles the priority from day to day. The Government Whip is also consulted. I understand here he plays a larger part in the settlement of the day to day business of the House. We would like to have a clear picture of the contacts of the Government Chief Whip with the Parliamentary Counsel. He must come to know the draft stages of the various Bills. How does he do this?

MR. FELLOWES I think for that you must get into touch with Mr. Charles Harris, Secretary to the Government Chief Whip. He has been here for years. He won't be in London this week, but will be here from the 18th onwards.

I can tell you how it happens so far as we are concerned. Having got an idea about what business Government want to do in a session, the Secretary to the Chief Whip will in the first instance come to us and say, "Look here. Government want to do such and such business next week. Do you see any procedural difficulties to it?" Or, supposing Government want to arrange a debate on a particular subject. Mr. Harris will contact us and ask what would be the best method of doing it—either by adjournment, or in committee of supply, or perhaps, must we have a motion of our own? The Government as you know are always very chary of putting down motions, as it may lead to trouble with their followers. So, Government prefer to have a debate on the adjournment. Well, what-

ever it is, Mr. Harris comes up and asks us whether there is any trouble about this. We suggest what is best to him and he conveys it to the Chief Whip, who in turn may have a word with the Clerk of the House. The Clerk of the House then mentions it to the Speaker that Government want to do such and such business during the next week and that he sees no objection to it. Or, he may say that that is not the usual way of doing it and there are certain objections to it. The Speaker gives his opinion and it is conveyed back to the Government Chief Whip, who fixes roughly the programme for the next week.

Each evening at 6 o'clock Mr. Charles Harris sends to the Second Clerk Assistant at the Table a draft of the Government business for the following day.

There is as well a side link in the Parliamentary draftsman or 'counsel'. He has a great many contacts with our Public Bill Office. When a Bill is in draft stage the Parliamentary Counsel goes to the Public Bill Office and says, "Look here, there are such and such provisions to be inserted in this Government Bill; does it require a resolution, or will the title of the Bill cover such provisions?" There is a Principal Clerk in charge of the Public Bill Office who is of the same status as the Second Clerk Assistant. He is of the same grade and probably more experienced, but in order to provide for the succession to the Table there is an age-limit laid in the case of the Clerk Assistant and the Second Clerk Assistant. There is generally a five years' gap between each successive man at the Table. This is a cardinal point which is borne in mind in the matter of selection.

While this is so in the case of Clerks at the Table, you want sufficiently experienced men outside the Table. The different heads of sections hold positions which command respect.

Take for instance the Head of the Public Bill Office. The Government draftsman comes to him with a Bill which has only so far been seen by the Cabinet; and in the case of Finance Bill, if he so chooses he can make very large sums of money if he were to give away information. He probably knows most of the provisions of the Finance Bill long before anybody except the Treasury officials, the Government draftsman and the Chancellor of the Exchequer.

MR. KAUL.

In India, the Finance Bill, for example, is under discussion. If any point of procedure arises the Secretary of the Ministry of Finance or the Legislative Secretary comes over to me to settle it. They just state their case from the point of view of procedure and I give my opinion on it. It is all settled orally and no record is kept of the discussions.

MR. FELLOWES

We prefer to keep records of them, because they do form valuable precedents for the future.

(x) PRESS GALLERY COMMITTEE

MR. KAUL

On what basis do you admit correspondents to the Press Gallery?

MR. FELLOWES

It is all done by the Sergeant-at-Arms and in this matter the Speaker is the person who is responsible to the House. It is very necessary to keep this salutary feature because supposing it is necessary to exclude somebody from the Press Gallery because of misbehaviour, you know what an outcry is immediately raised and it is important that somebody of the status of the Speaker should be there to handle it.

The Clerk at the Table does not at all come into the picture, because the Sergeant-at-Arms is an independent entity.

MR. KAUL

You admit Press correspondents to the lobby. What is the standard laid down for it? What qualifications must the correspondents satisfy? We, for instance, recently laid down that we will consider none below five years' standing in the journalistic profession. Generally we conform to a minimum of ten years' standing. We have got to look to the integrity of the journalist and the standard that he has attained in the journalistic profession. But rigid application of this rule gives rise to constant complaints. The Delhi "*Statesman*" for instance wrote to us to admit one of their correspondents to our lobby. We wrote back saying that we cannot admit him as he is not of the requisite standard. If the "*Statesman*" appoints on its staff a journalist of requisite experience and standard, we would certainly consider admitting him. They constantly keep on representing and writing. I write back to them saying that they can speak to the Speaker and state their case for his consideration, but they cannot represent against the decision of the Speaker. I understood from a reply that I received that there is an official for these matters.

MR. FELLOWES

Yes, Major-General Hughes. I shall arrange to fix up an interview for you with him.

(xi) SIR GILBERT CAMPION'S TOUR

MR. KAUL

Sir Gilbert wrote to me about a month back that he is undertaking a tour of the different countries to study the parliamentary methods there and to arrange interchange of staff.

MR. FELLOWES I am quite certain that if you want to interchange somebody, it must at least be for a year. Without that it would be of no good. I do not know what your people would think about having one of our men attached to you there; he will of course be there to work. In fact, we don't have a big enough staff as to be able to send one to you.

(xii) PRINTING OF PAPERS

MR. KAUL What is the strength of your typing section?

MR. FELLOWES We have got a very small typing staff. We have a Personal Assistant attached to the Clerk of the House. Besides, we have four other typists. Most of our stuff we get printed. We have four Editors working. Well, up to the beginning of the last war a private firm was doing all our printing work on contract with the Stationery Office. In fact, I am told they were doing our printing for the past two hundred and fifty years. When the war broke out it was taken over by the Stationery Office. Most of the old printers and compositors have now retired, because they were old and the Stationery Office has a retiring age for their employees. But we kept on two of the senior compositors and put them on reading of proofs.

MR. KAUL That is a matter on which I am having considerable difficulty. All our papers are printed at the Government of India Press. Recently there has been considerable dilution of staff with the result that even the assent copies of Bills have to be sent to the Press three times before I can have a correct copy.

MR. FELLOWES Our papers are printed at another Press. They are not printed at the same Press as our order papers. They are printed at the Stationery Office Press and they appear without a proof of any sort.

- MR. KAUL And so far as our Government Press is concerned, recently the standard has fallen considerably, because the private presses pay good salaries and Government have not raised the salaries correspondingly. And every now and then there is a strike of the workers, and they sometimes choose the time when the Legislature is in session.
- MR. FELLOWES Our chaps, I should say, have kept up a good standard in that in a big Bill you may now find not, perhaps, more than three mistakes. We have an official table copy in which we put all the amendments to the Bill. The correction is made in that and initialled by the Clerk. The Assent Copy is reprinted from the official copy after it has been to and fro between the two Houses. Authorisation of corrections in the Assent Copy is done by the Lord Chancellor.
- MR. KAUL At present the responsibility devolves upon me of preparing Assent Copy and sending it to the Governor-General. The Speaker, of course, authorises that it is a correct copy. Has the Speaker of the House of Commons or the Lord Chancellor any power of correcting patent errors in a Bill?
- MR. FELLOWES I do not of course speak with authority—, but I believe he does.
- MR. KAUL Our Speaker has taken the view—and there is something to be said for it—that the Speaker, just like a judge who after delivering his judgment corrects patent mistakes in his judgment, may correct any obvious mistakes in a Bill.
- MR. FELLOWES I think it is a very sensible view. I should encourage him to stick to that view.
- MR. KAUL But it does not get any publicity. Nobody, in fact, knows what the change that has been made is.

(xiii) HANDBOOK FOR MEMBERS

MR. KAUL Is there any handbook issued for the guidance of Members of Parliament?

MR. FELLOWES There is no handbook as such. The Chief Whip probably circulates some information to them But I have nothing in hand.

(xiv) LIBRARY

MR. KAUL Our Parliament will not function efficiently unless we have a well organised library—a library in which you have economists, statisticians, who will take up a Bill and who will be able to work up points for Members, and who should be able to advise them on literature on any subject coming up before the House. Such a system is simply non-existent in India at the moment. I for one feel that it is very vital.

MR. FELLOWES But there is just one danger, and that is the risk of your experts becoming tools of parties' ends. They must not introduce bias in the material they supply.

MR. KAUL But how have you prevented it?

MR. FELLOWES This is a new system so far as we are concerned, and I just do not know how it is working.

(xv) QUESTIONS

MR. FELLOWES Well, as you know questions are the most difficult part of parliamentary business and it is very difficult to get on with Members on this matter. But, fortunately I have got on so well with some of them, that at times it reached a point when they would bring a newspaper item saying that they would like to put a question on such a line and asking me to draft the question for them. Questions are handed in up to the rising of the House and they are printed the following day.

MR. KAUL

In our Parliament the period of notice is ten days. As soon as a Member gives notice of a question I have a copy sent to the Ministry concerned. They are edited in my office and printed and Government gets the admitted printed copy five days in advance, which they check up with the advance copy. I wonder how in your case a notice of three days enables Government to get its answer ready.

MR. FELLOWES

Up to the beginning of 1946, the notice was nominally two days, that is to say, you can put in a question on Tuesday for answer on Thursday. Most of the Government Departments in those days were in London. Now that they have got their regional organisation, the notice of two days was found to be a bit short and the Government asked the House to alter the Standing Order to three days. That means questions handed in before the meeting of the House on Monday, Tuesday or Friday will be answered on the following Wednesday, Thursday or Monday respectively.

Questions are invariably handed in at the Table. Sometimes the questions are inadmissible, in which case I warn the Departments in advance, and notify them afterwards. In short the Second Clerk Assistant's is an absolutely dog's life. As you go higher up you get more leisure. Questions, as you know, are the most combustible things. And particularly, on our nationalised industries question hour became a very difficult one. The Speaker had a very difficult time particularly on questions on railways, coal mines, etc.

MR. KAUL

Our practice is that where *quasi* public bodies have been set up as self-contained autonomous units we allow questions, not on detailed

administration, but a case must be made out for Government intervention. The question must disclose a scandal calling for Government interference.

MR. FELLOUES Members, as you know, are difficult people to deal with, and whatever question they put they want it to be admitted, with the result that the Speaker gave a ruling that his word is the final law on the matter, and if he once says that a matter is not of public importance, then he is not going to be questioned on that.

II

18th October, 1948

Mr. M. N. Kaul and Major-General I. T. P. Hughes,
Deputy Serjeant-at-Arms, House of Commons

(i) DUTIES OF THE SERJEANT-AT-ARMS

MR. KAUL When the House is sitting you are there in the House. Where do you sit?

GENERAL HUGHES I sit opposite to the Speaker, just at the other end.

The main duty of the Serjeant-at-Arms is to maintain order and discipline in the 'inner precincts'. We have some police deputed to us by the Scotland Yard. They also lend us an inspector, a serjeant and some constables. They take orders from me. Once they come here they are entirely under us.

We have the inner precincts and the outer precincts. So far as the inner precincts are concerned, they are under the control of the Speaker. The inner precincts is the portion bounded by the wall outside: the outer precincts are the approaches to the Parliament, *e.g.*, Whitehall, etc. The approaches are under the control of the Metropolitan Police who have orders from their headquarters.

MR. KAUL Are there any definite orders on this point?

GENERAL HUGHES There is a sessional order which gives instructions to the Metropolitan Police.

My second important duty is the execution of warrants and orders. For instance a paper prints scurrilous remarks in their issue.

MR. KAUL Has there been any recent case?

GENERAL HUGHES Recently we had some abusive remarks in a paper about the Members of Parliament. We had to summon the Editor before the Bar of the House. It is all in the proceedings. I am responsible for issuing the warrant to attend and ensuring that it is served. I think the case I am referring was at the beginning of the year.

MR. KAUL I am particular to know the details of it because we have recently inserted a provision in our Constitution which is rather novel, although there is a precedent to support it, that the privileges of the Members of the Indian Legislature are the same as those of the House of Commons.

GENERAL HUGHES There is a lot of ceremonial attached to it; I shall explain them when we go into the House now.

MR. KAUL Probably the ceremonial introduces some elements which add to the dignity of the proceedings.

GENERAL HUGHES Well, without ceremonial it will be nothing at all. The ceremonial is a very important part of the proceedings of the House, as it creates a tremendous impression in everybody's mind.

My third important function is to attend to the ceremonial duties of the House. There is the Speaker's procession. Every morning I have to come in the Speaker's procession. The procession starts with one of our messengers ahead; then comes the Serjeant with the mace and Speaker follows him in his robes.

The last and the most important is the administration of that part of the Westminster Palace reserved for the House of Commons. We control the general administration, allotment of rooms, installation of telephones and such like mis-

in the building, other than the legislative side, is controlled by us.

MR. KAUL What is the link between the Clerk at the Table and the Serjeant-at-Arms?

GENERAL HUGHES The Speaker, of course. It is just like what we have in the military. In theory it might not be a great success. But in practice it works very well.

(ii) APPOINTMENT OF SERJEANTS-AT-ARMS

MR. KAUL How are these appointments made?

GENERAL HUGHES The King appoints the Serjeant-at-Arms. But the recommendation is made by the Speaker through the Prime Minister. The Speaker really makes the choice.

MR. KAUL But whose advice does he take?

GENERAL HUGHES His own advice.

MR. KAUL For instance, there is a vacant post; how does he actually proceed in the matter? Is it advertised? Or does he write to any Department or Ministry asking them to suggest names? There must be some names before him before he recommends to the Prime Minister.

GENERAL HUGHES Normally it goes by promotion. When the Serjeant-at-Arms retires, his place is naturally taken over by the Deputy Serjeant-at-Arms.

MR. KAUL I should like to know how that recruitment is made.

GENERAL HUGHES Well, as I told you, the Assistant Serjeant goes up as Deputy and the Deputy goes up as Serjeant; the Assistant Serjeant is selected by the Serjeant-at-Arms.

MR. KAUL How does he make the appointment?

GENERAL HUGHES It is entirely his own choice. He does consult the Speaker as a matter of courtesy. In effect, the Assistant Serjeant-at-Arms is selected by the

Of course, in case the Deputy is too old or say too young, somebody else is brought in. In that case the Speaker may consult the Serjeant-at-Arms who is leaving, as to whom he would recommend. But officially the appointment of Serjeant-at-Arms is made by the Crown.

MR. KAUL

The Speaker makes his recommendation through the Prime Minister to the King. May's does not say that the appointment is made on the recommendation of the Speaker.

GENERAL HUGHES Historically and constitutionally it is entirely an appointment of the Crown. But the Crown always takes the advice of the person intimately concerned with the appointment. In so far as matters relating to the House of Commons are concerned the Prime Minister, even if he is technically responsible for tendering advice would always ask the Speaker and transmit his advice to the Crown. The Speaker I am sure you know, is the all-important conventional head of the House of Commons. Any question which relates to the well-being of the House of Commons is always a matter on which the Speaker is consulted and he naturally takes very direct interest in it.

MR. KAUL

But is there work for so many officers under the Serjeant-at-Arms?

GENERAL HUGHES We are kept terribly busy during the session. When the House is sitting one man has always to be on duty inside the whole day and the whole night if need be. There is always one sitting in the Chair and one has also to be available to relieve him in case there is any disturbance.

Then all questions concerning public galleries and the Press and other galleries have to be dealt with by us.

(iii) OFFICE OF THE SERJEANT-AT-ARMS

MR. KAUL What is the strength of your staff?

GENERAL HUGHES Well, you have the Serjeant-at-Arms, who is the head of our organisation; then there is his Deputy (that is myself) and we have an Assistant Serjeant. We have a small office consisting of clerks and typists to assist us in secretarial duties.

The Admission Order Office is under us. We have three people there who deal with Visitors tickets. We used to have a ballot, but now every Member in rotation gets orders of admission. It is a most inconvenient arrangement in that it does not satisfy anybody.

It works out that each Member for every sixteen sitting days gets two orders of admission. That again is entirely a matter for the Serjeant's discretion.

Then we have a staff of 25 what we call door-keepers and messengers.

MR. KAUL How are they recruited?

GENERAL HUGHES They are recruited almost entirely from *ex*-warrant and petty officers of the three services; that is the Senior non-commissioned officers who retire at about 40.

MR. KAUL We tried the experiment of recruiting *ex*-army men; but the men we got were too old for the job.

GENERAL HUGHES Here we get them at the age of 40 or 42. These men are pensioners. They are recruited for various jobs in Government offices.

MR. KAUL What is their educational qualification?

GENERAL HUGHES To become warrant officers they have to be of the matriculation standard. They are responsible for administering and looking after the various galleries and generally controlling the whole

admission of the public and Members into the House. They are guards of the inner precincts. This practice of employing *ex-service* men has been in vogue in the House of Commons for a very long time and it has proved to be very successful. These men deal tactfully with the public. There is no point in taking young and inexperienced chaps for this sort of work. A man from the army has usually great experience of men and things; they are chaps who have seen the world, and on the whole there have been very few complaints against them.

MR. KAUL Do you pay them well?

GENERAL HUGHES Yes, fairly well. They get about £ 500 a year.

MR. KAUL Are they in your cadre all the year round, or you appoint them during session?

GENERAL HUGHES They are in our pay rolls all the year round. They go home during non-session and get their pay. During the session their hours of work are very very heavy.

MR. KAUL Has your Treasury taken any objection to their being paid during the non-session?

GENERAL HUGHES They have accepted the arrangement. The other alternative would be to pay them much more when the House is sitting.

MR. KAUL We have a very unsatisfactory system in India because, for financial considerations we have a partly permanent staff and partly what we call sessional staff, persons who are recruited for the session and discharged afterwards. Of course, quite a number of them may continue from session to session. But a good part of them drop out.

Our Watch and Ward Officers have complained about this system.

GENERAL HUGHES We ourselves had a very similar system a few years back. But we were finding that we were not getting good people. The temporary men recruited for the session have no interest in the work, on account of the fact that the Democles sword of termination of their service hangs over their head. We therefore thought that it is better to have their whole future wrapped up in the building than to give them a higher salary during the session.

The temporary men employed do not understand the Members and people. It is very wrong and improper to employ such staff

And again if a session is called at short notice, as we had it this summer, it is difficult to sit down to recruit the staff. But our permanent men who go on a short holiday, turn up at twenty-four hours' notice.

MR. KAUL Are there any rules regulating their leave?

GENERAL HUGHES The only rule is that when the House is sitting you give your duties here. They take the non-session period off and only a skeleton staff is here to look after daily correspondence.

The cleaners as well are now on a permanent basis. Previously we used to close this building during the non-session and clean it when the session was about to commence. The people whom we employed for this purpose had no pride in their work. Now that they are on a permanent footing they do their work cheerfully.

It is absolutely essential that if you want good staff you should give them permanency.

There are senior Door Messengers on duty at the back of the Speaker's chair and any time the Speaker wishes to communicate with anybody he

admission of the public and Members into the House. They are guards of the inner precincts. This practice of employing *ex-service* men has been in vogue in the House of Commons for a very long time and it has proved to be very successful. These men deal tactfully with the public. There is no point in taking young and inexperienced chaps for this sort of work. A man from the army has usually great experience of men and things; they are chaps who have seen the world, and on the whole there have been very few complaints against them.

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It is absolutely essential that if you want good staff you should give them permanency.

There are senior Door Messengers on duty at the back of the Speaker's chair and any time the Speaker wishes to communicate with anybody he

just gives a ring and one of the attendants comes up and takes instructions. If the Speaker wishes to have a word with him, he may go up the steps and take instructions from the Speaker. The Serjeant-at-Arms sits just below the point where the seats end (the Bar) in the old House.

(iv) ADMISSION OF PRESS CORRESPONDENTS TO GALLERIES AND LOBBIES

So far as the admission of correspondents to the lobby is concerned, an application has to be made to the Serjeant-at-Arms. All prominent papers are entitled to representation and it is the general custom that those papers only send in names of persons who have established reputations in the profession and who will not let them down in any manner so far as matters concerning the House are concerned. The names are of course scrutinised by the Serjeant-at-Arms and in case any question arises he may take the Speaker's orders about the matter. The Press Gallery as such is not concerned with the disposal of applications for admission to the Gallery or the lobby. Each paper is entitled to apply for a seat in the lobby or for its representative to be admitted to the Press Gallery. Once that application is granted, it is for the paper to nominate a representative which nomination is obviously subject to the approval of the Serjeant-at-Arms. If the paper has at any time any grievance against the decision of the Serjeant-at-Arms the paper can take the matter up to the Speaker. In theory the Speaker is the final authority, but as a matter of practice, all these matters are settled at the lower level. There are about sixty seats in the Press Gallery at the present moment; each seat is allotted to a particular newspaper. In addition, admission cards are issued without

allotment of seat and the standing room can be utilised by those who hold such cards and if there is any vacant seat, it may be temporarily occupied by them, subject to the rights of the person in whose favour the allotment has been made.

(v) DIPLOMATIC GALLERY

There are at the present moment two Diplomatic Galleries in the House of Commons : one is called the Ambassadors' Gallery and the other is called the Ministers' Gallery. The Foreign Office periodically publishes a list of Ambassadors and Ministers accredited to H. M. G.'s Government and these lists are made available to the House of Commons. Any Ambassador or Minister is entitled to a seat provided there is room on presentation of his visiting card. The staff on duty as a rule know them. But if there is any doubt or suspicion, they check it up.

(vi) PRESS GALLERY COMMITTEE

There is a Press Gallery Committee in the House of Commons with a Chairman. The election to the Press Gallery Committee and the regulation of its affairs are entirely matters for the Press and the Speaker or his Secretariat is not concerned with it at all. They regulate their internal affairs and can address the Serjeant-at-Arms on questions primarily relating to the convenience that may be afforded to them in the Chamber or in respect of certain other matters arising out of reporting or their attendance in the Gallery.

Many matters, however, in the House of Commons as is well known are regulated by convention and naturally the advice of competent persons is always sought when any important

decision is about to be taken. For instance, the Committee which examined the question of the construction of the new Chamber had naturally to look into the question of accommodation in the Press Gallery and it was but right that the Chairman of the Press Gallery Committee should be addressed by the Committee and asked to state the position of the Committee in the form of a memorandum to be considered by the Committee in the course of its discussions.

It is a useful body, but is entirely self-elected.

When an application is made by a newspaper for admission to the Gallery, the Serjeant is not bound to consult any one. As a matter of practice, of course, where he has no information or has very scanty information about the standing of a paper, he will in his discretion consult unofficially or informally, such members of the Press, as he may choose to.

As a general practice, it is not considered advisable to consult officials of the Ministries even informally, as by the very nature of things their opinion is likely to be biased. Statistical information is gathered from the Ministries. There is a private publication in Britain called 'Oldham's Press Guide' which gives all statistical information about a newspaper, its circulation and the year it commenced its business and other relevant data.

(vii) NON-ADMISSION OF PEONS INSIDE THE HOUSE—HOW MESSAGES ARE TRANSMITTED

In the House of Commons the Ministers are not entitled to bring their peons inside the House. 'So far as the transmission of messages either by

the Ministers or Members is concerned, arrangements are made for six messengers to be present in the lobby. Any Member of the House who has a message to be sent out, writes it out, and goes to the lobby and asks one of the messengers to do the needful. There are no arrangements inside the House whereby a Member can just remain in his seat and ask for someone to take his message outside. The only people in the Chamber are the Members. The messengers at the back of the Speaker's Chair and those behind the Serjeant-at-Arms are technically outside the Chamber, though they actually sit on the floor of the House.

Sometimes Members do try to send a message through these messengers, but that is not the general practice. If any such messages are handed in the messenger just arranges to have it sent on to the appropriate messenger in the lobby.

(viii) OFFICIAL GALLERY AND OPPOSITION PARTIES' GALLERY

Behind the Speaker's Chair there are two small galleries (to his right and left). The one to the right is the Official Gallery where officials come and pass on information to the Ministers. In the other gallery (to the left of the Speaker) sit Secretaries to the Opposition Parties and such other persons as are admitted to it to assist the Opposition Members. The Leader of the Opposition asks for seats in this gallery for one or two people and he can give the names and those people are admitted.

In the House of Commons permanent tickets are not issued for the Official Gallery. Tickets are issued to the officials according to the nature of the debate for which they are required.

A similar practice prevails in regard to the corresponding gallery for the Opposition. Except for two tickets which are issued to the nominees of the Leader of the Opposition, the admission is regulated on applications made by Members that so and so be admitted as he would like to be assisted in the course of a particular debate in which he is participating. Such admission is not confined to Secretaries of the Members, but they may ask for anyone with regard to whose admission the Serjeant-at-Arms has no objection. He may be someone specially interested in a business who may wish to furnish a Member with information in the progress of a particular debate.

III

19th October, 1948

**Mr. M. N. Kaul and Mr. F. W. Metcalf, Clerk of the House,
House of Commons**

(i) TRANSMISSION OF MESSAGES

MR. KAUL If a Member wants to send out some message how will he do it?

MR. METCALFE Either he will take it and give it to the messenger, or if he sees the messenger he will pass it on to him through other Members.

MR. KAUL So far as the Clerks-at-the-Table are concerned, don't you experience any difficulty?

MR. METCALFE I have a push button of an electric bell on my table. The messenger sits outside the House and immediately I press the button I get him.

MR. KAUL I ask this question specifically, because I personally feel that the decorum, the dignity and ceremony are vital parts of parliamentary procedure. It is not what is said in the House that counts; but what is done to preserve the dignity of the Chamber. A man walks in and looks across the Gallery. It is the impression that he gathers that matters.

In our House a practice has crept in by which the Ministers bring their peons into the Chamber. Each Minister brings a man and you can find about thirty of them standing in a row in the semi-circular gangway behind the Chamber.

MR. METCALFE I have seen that practice in some Parliaments in Europe.

MR. KAUL But is it right?

MR. METCALFE No, not according to our theory.

MR. KAUL And the unfortunate part of it is that not all of them are perfect in their manners. For instance, the Prime Minister is making an important statement. I have often found Members or Ministers calling for a peon and handing him a slip. The solemnity of the occasion is disturbed by it, and I have mentioned this point to our Speaker.

MR. METCALFE It is much easier in our Chamber, because nobody can come beyond the 'bar'.

And even so far as the messengers who attend to us are concerned, they must bow to the Speaker as they pass him; they must not brush rudely in front of the Speaker. If they come as far as us, it is only because somebody must get to us. That is the limit up to which anybody can go. Technically, nobody should pass the Speaker and that practice has worked well.

MR. KAUL In our Chamber Members have got the habit of calling a messenger on the slightest pretext. Sitting at my table in the Chamber I have very often felt that it detracts from the dignity of the Chamber. It is not a public meeting. It is something to which you should by every means, procedure and conduct, day by day, minute by minute, add dignity in every sense of the term. These things may be difficult to describe, but you do gain by them.

MR. METCALFE Certainly, we are wise I think in not admitting anybody but Members to the actual precincts of the House. But I do feel that the shape of our Chamber makes the task easier.

(ii) CHAMBER

MR. KAUL We have a very good Chamber. Its acoustics is very good. In fact, it was built to accommodate about 150 members. The strength of our

House at present is about 300. We have, therefore, for the present done away with the allotment of seats. I cited the instance of the House of Commons.

MR. METCALFE The Chamber of the House of Commons has, as it were, become a part of the Constitution.

MR. KAUL Mr. Churchill, I remember, made a great speech about the rebuilding of the House of Commons, in the course of which he said that the new Chamber must be rectangular in shape and almost of the same size.

Our Speaker sometimes feels difficulty, because if Members do not sit in their seats, it is difficult for him to spot them.

MR. METCALFE The Speaker is supplied with a list of Members of the parties who wish to speak on a debate.

MR. KAUL I remember to have read a lively debate when the Speaker informed the House that seventy odd names out of a list of about hundred supplied to him would be disappointed. A Member then asked the Speaker whether he could not catch the Speaker's eye. Mr. Churchill got up and said that the Speaker was not bound by the list and that he could vary it in accordance with the course and precedent of debate.

The actual day to day work of Parliament does not get into books.

MR. METCALFE It much less gets into our books either. We depend on practice for most of our rules and regulations.

(iii) RULES OF PROCEDURE

MR. KAUL So far as we are concerned, we have kept our rules few and simple. I find it helpful.

MR. METCALFE Quite so, because once you try to put everything into print, you are bound to leave out a lot. A lot will be misunderstood. In fact we have found it best to store up the practice of the House in memory and pass it on to future generations, than to write them all down. We have always found that whenever you try to codify any instruction on any subject, one generally finds that you leave out a lot, and people misunderstand what is codified.

(iv) AMENDMENTS

MR. KAUL Coming back to amendments, up to what time do Members hand in amendments?

MR. METCALFE We receive amendments up to the sitting of the House, which means that the Public Bill Office has to work at great pressure.

MR. KAUL Are they circulated the same night?

MR. METCALFE They are not circulated the same night, but the next morning.

MR. KAUL How then do you give proper notice? Does a Member pick up his papers himself or are they sent to his residence?

MR. METCALFE In the case of Members living near-by papers are sent to them through messengers; the others come and fetch their papers.

MR. KAUL How does the Public Bill Office work—what I mean to ask is, suppose you receive amendments up to 11 o'clock at night, when do they get rest?

MR. METCALFE There are two people on night duty. The rest of the office do not stay beyond the time by which they complete their work. The people who sit late at night, come somewhat late the next morning.

MR. METCALFE The Senior Clerk and Assistant Clerk are generally on duty every night. But they are paid extra for this work. The Head of the Office does not necessarily stay at night. He may, of course, stay if he is interested in what is happening in the House, or if the work that is transacted in the House concerns him particularly. The normal hours are from 10 to half past six. People who stay beyond half past six get a special night allowance, and normally one senior and one junior clerk stay on.

That means, after about 6-30 the staff on duty will be the three Clerks at the Table, and two or three from every office, besides the clerks who take divisions when the House divides. You have always got four clerks on division every night who may be acting for their respective offices or who may just be there to take divisions.

MR. KAUL I put these questions in detail because our House at present sits from 11 to 5. But there is a feeling that the House should meet in the evening so that Government Members may have their morning hours free. It boils down to this that the normal hours are from 10 to half past six every day. After half past six, the Head of the Office, if there is nothing important to attend goes away, leaving two men below him, a Senior and a Junior, to attend to the night work.

MR. METCALFE But always there is this overriding rule, that if you get a job to be done you stay on until it is done. Duty to the House is the paramount principle regulating hours of work. You do not get a night allowance simply because you are kept. Suppose a Committee is sitting; you cannot get away. If you are Clerk to that Committee you must go on until the Committee finishes its work. In fact the heaviest strain falls on the Clerks at the Table who have to keep very long hours.

- MR. KAUL You don't deal with amendments at all?
- MR. METCALFE I am the final authority below the Speaker. I do not of course deal with them initially. For instance, a novel amendment is put in; then they make a reference to me.
- MR. KAUL Who, then, writes notes, if any necessary, on admissibility of amendments?
- MR. METCALFE The Clerk to whom the amendment goes deals with it. It is very likely that the point will be settled by the Head of his Office. At night the senior man on duty decides it himself. If, of course, there is any difficulty, he will probably submit it to the Head of his Office in the morning, and if it is too difficult even for the Head of the Office, the matter will be referred to me. An amendment so difficult and so unusual as to need the decision of the Speaker is a very rare thing.
- MR. KAUL The Speaker has the power of selection of amendments. We have in our new rules borrowed that provision from your rules. So far as the selection of amendments is concerned, that matter may give rise to controversy in the House. Who advises the Speaker on the selection of amendments and when does he actually do that?
- MR. METCALFE If the House is going to sit at 2-30 P.M. to consider a Bill at 3-30, generally the Speaker has a Conference sometime in the morning, say at about 10-30 or 11, at which besides the Speaker the three Clerks at the Table are present, and also, probably, the Senior Clerk from the Public Bill Office who deals with that particular Bill. The Principal Clerk of the Public Bill Office has a general background of the Bill. He manages the whole office. Invariably, one Clerk will handle only one Bill from its beginning right

up to its end. One of the Clerks will take up a Bill and attend to it through all its stages both in the House as well as in the Committee. That Clerk will be responsible for handling the amendments, receiving them, putting them into shape, etc. When the Bill goes to Committee he would advise the Chairman about the amendments.

MR. KAUL Are there many amendments to be dealt with and are many important questions raised regarding the selection of amendments at the report stage?

MR. METCALFE In the case of huge Bills, of which we had many recently, there are quite a number of amendments at both stages. At times we have to fill up a whole book.

MR. KAUL But do you get the time to study all of them?

MR. METCALFE Of course, it would be impossible. The Clerk in the Public Bill Office, who studies the Bill, keeps himself in daily touch with the amendments. He sees me daily and gives me a short idea of the important amendments. Then on the day when the Bill is coming up, he will come to me and have a talk with me, say, for about half an hour. Of course, I go through them hurriedly. Perhaps, I do not do any real work on them.

MR. KAUL That has been my experience too. The Clerk who handles amendments should have a quick and alert mind. He should keep abreast of the developments. He has to state everything shortly and quickly. I may have to pick up a matter in five or six minutes and explain the whole thing to the Speaker. That is why I consider vital for the efficient functioning of the office that there should be competent staff who will attend to their work quickly and at the same time accurately.

MR. METCALFE Of course all of us know it very well. As you know, there are various offices each one specialising in its own branch of procedure. The Committee Office have a very definite sphere, haven't they? They attend to all matters going before committees, not merely Bills, but matters going before Select Committees. Do you have anything comparable to that?

MR. KAUL Yes, we too have committees on certain matters. We have committees on Bills, Public Accounts, Public Petitions, etc. We have many committees that have to consider matters as distinct from Bills. You don't have to attend to such things, I suppose.

MR. METCALFE What we do is that for every Committee we supply a Clerk to act as the Secretary. He keeps the minutes, advises the Chairman and looks after everything connected with it.

MR. KAUL So far as advising the Chairman of Ways and Means who presides at the Committee of the whole House is concerned, you don't advise him, do you?

MR. METCALFE It is primarily Mr. Fellowes' duty. In theory I attend to the Speaker, Mr. Fellowes attends to the Chairman of Ways and Means, or the Deputy Chairman.

MR. KAUL Who attends to the amendments actually in the House? For instance I shall describe what happens in our House.

I keep a general watch on the progress of the Bill, but I cannot do it in great detail as I am interrupted constantly and I have besides other matters to attend to. I cannot, therefore, keep a continuous watch. But there is one officer at the Table who has the Bill before him as also all the amendments. He makes a note of each

amendment as it is carried or rejected, and, as far as possible, he carries out the amendment then and there. Where for want of time this is not possible, he brings the notes to his room and carries out the corrections in his office room

MR. METCALFE At our Table Mr. Fellowes keeps the Minute Book, and each amendment is minuted in the book. If the amendment is a pretty long one, it is pasted to the book. If it is a short one it is copied down.

MR. KAUL But someone has to carry out the amendment in the Bill from the Minute Book; who does it?

MR. METCALFE The amendment that is agreed to by the House is put into the Bill by the Clerk Assistant. As he minutes his book he amends the copy of the Bill with him.

MR. KAUL But is it possible to attend to so many things at one and the same time?

MR. METCALFE Well, one has to as best as he could, and as you say, at times it becomes really irksome. Particularly during dinner hour Mr. Fellowes sitting alone at the Table has to keep the minute book, keep up the Bill, as fast as he can, and attend to messengers who may be bringing in messages, besides looking to questions, brought by Members.

MR. KAUL But if he is subjected to such interruptions, he may as well miss something.

MR. METCALFE But you just cannot help it. If you are alone you have to attend to everything.

MR. KAUL I try to prevent the man who is attending to amendments being distracted. Amendments by themselves are very difficult. More is it so when they are manuscript amendments. A Member

proposes something; nobody in the House catches it and the man sitting at the Table is taxed to get the correct thing.

MR. METCALFE Yes; sometimes it is really awful. On one occasion last session in summer when it got so bad I simply had to tell the Speaker that it was simply impossible for me to follow it and that I must have the amendment read again by Government and that they must give me a copy of it before we could get on.

The Second Clerk Assistant is terribly overworked. When you go higher up, your responsibility is more; but there is a greater measure of relief. I do not keep the minutes. That gives me much more time to watch the procedure and proceedings. It is on man No. 3 on whom the heaviest brunt falls. Mr. Fellowes is, as you know, the Clerk Assistant and Mr. Gordon is the Second Clerk Assistant.

(v) RECRUITMENT

MR. KAUL One of the main difficulties experienced by us is that our recruitment is not good, and at the present moment we do not get the staff of the requisite standard.

MR. METCALFE That is bound to be, because you are only a recently formed organisation. By and by you will build up.

MR. KAUL Our office has been in existence for the past 25 years. Of late there has been heavy depletion on account of retirements, deputations and opting for Pakistan. I don't know whether you had a similar problem during the war.

MR. METCALFE That happened with us too; some of our people went to the Secretariat and other Departments. But during the war our work was lighter and hours shorter.

MR. KAUL

If I may put you a personal question, when did you join service?

MR. METCALFE

About the beginning of 1919.

MR. KAUL

And you joined as an Assistant Clerk. Mr. Fellowes the other day gave me an idea of your system of selection. He said that you invite applications and select say not more than 8 for each vacancy on the results of an interview. They are then asked to take the Civil Service Examination with a view to qualifying themselves. The idea is to test the suitability from the point of view of parliamentary work. The man may be quite brilliant, but may not be a good mixer.

MR. METCALFE

Yes, we attach great importance to that aspect. All the candidates for the examination before they take the examination must get my nomination. Then on the results of the examination the Commission recommends whether the candidate has attained the requisite standard.

MR. KAUL

It is rather a good system. In India we have this peculiar system that the Officer at the Table is selected from the Bar with a minimum qualification of ten years' practice. The Selection is done by the Public Service Commission. The Speaker also sits at the Board which interviews candidates. I don't know how that peculiar system of recruitment came to be adopted in India. Do you consider this practice to be good and do you feel it should be continued? I myself, for instance, was selected from the Bar. I am from Cambridge.

MR. METCALFE

You have got junior Clerks who will gradually become more and more senior and acquire more and more knowledge of parliamentary procedure. Won't they make good Clerks?

MR. KAUL

Our experience is that people recruited from the lower ranks, provided they stay on at that level beyond the age of 40 acquire a sort of fixed mentality and inelasticity of mind. Our junior men are taken not from the higher administrative examination held by the Commission, but on the basis of an examination held by the Commission for ordinary clerical grades. I think in your case all the senior clerks who are taken are of the officer standard.

MR. METCALFE

That is right. It is called the administrative class of the Civil Service and all our clerks have to be of that standard. Unless you recruit clerks from the highest administrative examination it is not possible to promote Clerks to the Table.

MR. KAUL

Our office clerks are taken from the junior examinations. They have not got that educational background which is a requisite qualification for the officer class. If I have to follow the House of Commons procedure, the entire machinery of recruitment has to be recast. At the present moment we recruit our office clerks from the junior examination. One of them is promoted to the rank of administrative officer, the sort of work that the Serjeant-at-Arms does here.

So far as the Clerk-at-the-Table is concerned, recruitment is made direct and ten years' practice at the Bar is laid down as the minimum condition. I was, for instance, taken as Deputy Secretary corresponding to the Clerk Assistant and it was after about ten years' service that I was made Secretary. My predecessor was Deputy Secretary for only two years.

MR. METCALFE

He was lucky; wasn't he? But in our case, a man before he becomes Clerk is in employ for well over thirty years.

- MR. KAUL Yours is a life appointment. In India the age of retirement is sixty.
- MR. METCALFE But I don't consider it advisable to put it beyond sixty in India. I was born in Ceylon; my father was in service there.
- MR. KAUL The position as I could make out is that you have a very good officer cadre.
- MR. METCALFE Won't you be able to recruit in future young men of your type through the Higher Examination?

(vi) OFFICE ORGANIZATION

- MR. KAUL In India we have fewer officers and a large establishment. The impression I gather is that you have self-contained autonomous units. There is one man who attends to Bills. He decides matters and disposes them of within the level of his discretion. That means fewer and fewer matters are taken upwards. The officers because they are qualified can be entrusted with the discretion to take decisions.

So far as our office organisation is concerned, everything comes up to the Secretary. The capacity to take risks of a decision at the lower level is limited. The impulse of a man who has a little difficulty is to rush up to the Secretary so that responsibility may not fall on him. They have not the confidence to decide a point. This is so because as I said the men are taken at a young age through a junior examination and they work in a groove in which their capacities are not developed. A man recruited through a senior examination and with a degree to his credit comes to his job with a broad outlook and a sense of confidence.

MR. METCALFE Hence it is that it will help you if you could develop a staff on our model. Men should be recruited through a higher grade examination and they should be trained to your position. Of course, the Indian Bar may be reluctant to part with a lucrative post. But it does seem to me, from the point of view of office efficiency (I for one feel) that it would be better if promotion were confined to your staff; that will give an incentive to the young men to put in their best.

(vii) QUESTIONS

MR. KAUL I do questions in the middle, but I do not allow the man who is attending to Bills to be disturbed.

MR. METCALFE I only do questions which are referred to me by Gordon or Fellowes, normally. But when the rush comes one has to do everything. When they are getting behind hand I attend to their work. I think our difficulties are very similar; aren't they?

MR. KAUL Mr. Fellowes the other day described questions as the most "combustible". Personally I find questions on autonomous bodies most difficult. But I have devised a sort of a formula or rule of thumb. If I think it is a matter concerning the day to day administration, then I recommend that it is not a matter to be dealt with by the Ministry. But where I feel doubtful I put myself the question, "Suppose I were the Minister and I were to deal with that question; shall I call for a report? If I call for a report, then Parliament is entitled to know the position." I then have a talk with the Minister on the facts and recommend to the Speaker on the admissibility or non-admissibility of the question.

IV

21st October, 1948

Mr. Satyanarayan Sinha, Government Chief Whip and

Mr. M. N. Kaul

with

**Rt. Honourable Mr. William Whiteley, Government Chief Whip
and Mr. Charles Harris, Secretary to Government Chief Whip,
House of Commons**

(i) INTRODUCTORY

MR. SINHA

Since I came here I have been very anxious to meet you, but we were told that you were out of London. Then, as you know, we ourselves went on a tour of the U. K. provincial centres, and returned only on the 17th. Yesternight, Mr. Noel Baker told me that you might perhaps be at the Reception which was given to our Prime Minister at the India House. I met there some of my old friends, Sir Archibald Rowlands and Sir Jeremy Raisman, who were in India. They all spoke very highly of you.

(ii) ORGANIZATION AND WORKING OF THE CHIEF WHIP'S OFFICE

MR. KAUL

Our object really is to gather some information about the actual organisation and working of the Chief Whip's office, as to how Government business in Parliament is arranged and regulated; how the various difficulties are got over and the machine is run smoothly. In order to get that information, I shall give you a brief idea as to how it is done in India, so that you may be able to suggest in what way the machinery can be improved and in what way the influence of Parliament and its Members can be brought more effectively into the picture.

Now, as the situation has emerged after the establishment of complete responsible Government after the passing of the Indian Independence Act, the position today is this. Technically speaking, there is a "Priority Committee" of the Cabinet. It consists of three Members, the Prime Minister himself deciding that such and such a Minister of the Cabinet will be constituted into a Priority Committee and that the Priority Committee will be the judge of all the Bills and other matters that should be brought before the House.

Now, in actual practice, what happens is this. As, perhaps, you may know, we have in India what is called "Ministry of Law". I do not think there is any counterpart of it here in England. It is a curious historical evolution. It has got multifarious functions.

MR. WHITELEY Perhaps, corresponding to our Attorney-General, Solicitor-General or Chancellor's Office, you mean?

MR. KAUL In the Ministry of Law there is a Solicitors' Branch. The Solicitors' Branch tenders legal advice to Government on matters involving legal opinion. Then there is a Drafting Section which is in charge of legislation. It drafts Bills. The practice in India is as follows: The Minister is advised by his Secretary that there is need for legislation on a particular subject. The Ministry begins collecting material on the subject. They, first of all, put the matter before the Cabinet to settle the principles upon which the Bill should be drawn. After that, if the Bill is somewhat complicated, the departmental people appoint a committee and take the advice of technical men. After collating all the

facts they try their hand in putting the whole measure in the form of clauses, not as technical experts, but as laymen trying their hand at a Bill. While this process is going on the Ministry of Law is very often consulted as to the legal points involved. The consultation with the Ministry does not necessarily follow after the whole matter is completed in the administrative department; it goes on concurrently with the drafting of the Bill. Now, as soon as the Bill is fairly complete (not that it is fully complete)—as soon as a picture is discernible—it is passed on to the Ministry of Law who offer their criticism and make suggestions for its improvement. In that way the Bill goes a step further. But I have, in practice, found that many vital decisions of the Cabinet are really held up even after the Bill is actually drafted. Our Prime Minister has ruled that no Bill should be introduced in Parliament till the Cabinet as a whole has considered it and approved that it be introduced in Parliament. When that stage comes and the matter is put up before the Cabinet there is some hitch somewhere. Although, from the draftsman's point of view, the Bill is ready, in view of the Prime Minister's decision, the Bill is generally held up or withdrawn from the preliminary list supplied to us.

Now, because the practice has grown up, because it is the Drafting Section in the Ministry of Law which gets these Bills in the first instance, it also acts for the Government at the present moment and advises the "Priority Committee" in the light of departmental representations and the views expressed by various Ministers as to the urgency of various matters that come up before Parliament. Now, although I am in the Assembly at the Table, I do not come into the picture.

The drafting side is entirely outside my purview.

I shall also state for your information what part I play in so far as the arrangement of business is concerned. We do insist, as a parliamentary practice, that before the session starts the Members should be given fairly advance intimation, at least a fortnight before the session, as to what is the probable legislative programme of the Government. A fortnight or three weeks before the session commences, we request the Ministry of Law to send us a provisional programme of Government legislative business. It so happens that although we have long intervals between two sessions, the practice has grown up in India—quite a wrong practice indeed—that the Departments are lazy in the off-session. As soon as they get to know that a session is to commence the Secretaries of the Ministries get busy, with the result that the draftsman is saddled with all the business at the eleventh hour. They are naturally not in a position to cope with it. I personally feel that the flow of government legislative business is not properly regulated and canalised. This haphazard way of dealing with government business results in considerable confusion. Then, again, in the case of our Parliament, I have found from experience that the more important of the legislative measures come up in the later stages of the session. The reason for this, probably, is that Cabinet decisions on them were not available in the earlier stages.

Now according to our practice, I get the proof copy of Bills from the Government draftsman. That proof copy, although there is no provision under the rules to that effect, is a notice to me. From the moment I get the proof copy, I am supposed to be in charge of the Bill. In our

Parliament there are no private Bills of the type that you have in the House of Commons, in the sense of Bills being promoted by local bodies and companies.

Coming now to the part of the Government Whip, before the Indian Independence Act came into force, an official member controlled the whole matter as a matter of practice and settled the whole business. In a sense it was simple. But since the new Government came into force, our procedure is that normally it is the Chief Whip of the Government party who is in the know as to what are the feelings of the Members in regard to various measures that are coming before Parliament. He knows best which measure would take a long time and which measure would take a short time and how the various measures should be timed in regard to parliamentary business. Sitting in the House he is in a position to know how long a particular measure would take. Being present at the party meetings he is in a position to know the feeling of members on a particular subject and how it should be arranged; so he tenders advice to the Government. He will ring me up and I pass on the information to the Drafting Section of the Ministry of Law to arrange their business accordingly. But although of necessity the view of the Government Chief Whip must prevail, because he knows the party feeling, no regular machinery has developed in India at the present moment under which he has an office to assist him. No doubt, as will be evident from my survey, he has a controlling influence; but he has not the requisite machinery. As I anticipate, the practice here is that it is the Government Chief Whip who is solely in charge of determination of Government programme of business

in consultation, of course, with the Prime Minister or the Cabinet, as the case may be.

Now, in this background, I should like to know from you, now that the session of the Parliament is about to commence, what exactly is the structure of your office, how you establish contact with Government Departments, in what form is information regarding the completion of the Bills transmitted to you, how and by what procedure are the views of the various Ministries made known to you, how you ascertain party feeling on a particular question, how you apprise yourself of the public importance of the measures and their relative priorities—whether you form any provisional conclusions of your own,—what is the measure and nature of discretion that is vested in you, what are the limits beyond which it is necessary to seek the approval of the Cabinet or the Prime Minister, how much in advance do you settle the programme of business, whether you give advance intimation of it to the Members, as we do in India, whether the flow of legislation is fairly regulated, whether you are rushed with priority lists during the course of the session—these are some of the matters which strike me at the moment—of course, we would welcome information on any matter of which we may not be aware. What status does the Chief Whip occupy—I understand he is the Parliamentary Secretary to the Treasury. I should also like to know what is the source of recruitment if I may use that expression. From what class of people does the Prime Minister choose his Chief Whip and what are his normal qualifications under your constitutional practice? What is his status and rank in the constitution and practice of Parliament?

MR. WHITELEY

You are now where we were in 1945. In 1945 we had just a similar difficulty, except that we had, probably, a better background than you have from which to start. As you know, we put our programme before the electorate: that programme was agreed to by the fact of our return. Then, of course, it was a question of arranging our business and getting it into shape, but there was very little time between the election and the commencement of the Parliament. As you say you are now, our draftsmen were worked very very hard in order to get the Bills ready.

You were asking about the constitution of our office. As you know, I am the Parliamentary Secretary to the Treasury and the Government Chief Whip. Now we have here at the moment eleven junior whips. Each of the groups has a whip in the House—for instance, the Yorkshire Members have a junior whip to look after that group; the Lancashire Members have a junior whip of their own, and so on. In that way we cover the whole country. As you might have seen, in the next room there is a table and a chair for each whip. Next to it is the Conference Room and we have at least two conferences a week to talk over matters in relation to the business of the House.

Now, with regard to the question of legislation, naturally the Cabinet give the direction in the matter of Bills. Each Department puts forward its claims for Bills. For decision on matters of policy they go to what is called the Lord President's Committee. Mr. Herbert Morrison, who is the Leader of the House, is the President of the Committee.

MR. SINHA

Is not the Prime Minister the Leader of the House?

MR. WHITELEY No, the Lord President is the Leader. Sometimes the Prime Minister is. But, as you know, the Prime Minister has so many matters to attend to that he cannot be always in the House. He is certainly present when important matters come up before the House.

The Lord President's Committee consists roughly of four or five Members, who are all Cabinet Ministers; others will be brought in or called, if need be, from the various Departments when a matter affecting a particular department is discussed. The Under Secretary or Parliamentary Secretary of that Department will be called to assist the Committee in matters of detail.

MR. SINHA What is the difference between an Under Secretary and the Parliamentary Secretary?

MR. WHITELEY The Parliamentary Secretary is a Member of Parliament; the Under Secretary is a Civil Servant. An Under Secretary is often the Head of his Department.

Well, now, when a policy is definitely agreed upon, the material is sent to the draftsman to be shaped into Bills. The Draftsmen present their Bills which go before a Legislation Committee. All the Bills have to go through this Committee.

MR. KAUL What is the constitution of the Legislation Committee?

MR WHITELEY There again, the Chairman is the Lord President. The Home Secretary, the Lord Chancellor, the Lord Privy Seal and myself are the Members. We go through the legislation and we give a sort of an indication from this office as to when we require legislation in order to fit in with our programme of timing. When we get the Bills

we examine how many clauses it has and the nature of the subject. As you said you do, we are able to sense the party feeling on the matter—of course we have to take the risk of opposition, but up to the present time we had no great difficulty in that direction.

We have, besides, a Future Legislation Committee of which I am a member. The Future Legislation Committee has been meeting throughout this year and even part of last year to prepare for the programme which will be presented in the King's Speech on Tuesday next. Of this Committee also the Lord President is the Chairman and the Lord Chancellor, the Home Secretary and myself are the Members.

And then, we in this office fix the times for the presentation of the Bills and we intimate the various Departments of Government who are sponsoring the Bills when the Second Reading is through to fix a time for the Committee Upstairs. When it gets through the Committee Upstairs we fix a time for the Third Reading. In short, the Chief Whip is the Government's Managing Director in the House of Commons; he is the Prime Minister's Agent for seeing that Government legislative programme is put through the Commons. He assesses the time for the various categories of business. Practically, the whole of the government legislative programme is finally arranged by the Chief Whip. He assesses the days that an official Bill may take during the different readings.

Then, another fact to which I should draw your attention is this. It is rather important. The Lord President sits next door, he is in No. 11, the Prime Minister sits next door to him; he is

in No. 10. I am here in No. 12. We have a passage right through. If on any of the matters during the course of the day, I want to consult the Lord President, or the Prime Minister, I go straight to them. The Lord President is, next to the Prime Minister, the important man in the Cabinet.

MR. SINHA The Lord President is generally the Deputy Prime Minister, isn't it?

MR. WHITELEY He is in this case.

MR. HARRIS The practice varies; it may not be so in future.

MR. KAUL It all depends upon the personality of the individual Minister.

MR. HARRIS The Lord President is an important man in the sense that he is generally Chairman of some of the important Committees. In previous Governments the office of the Lord President of the Council has usually been held by Peers and the Peer who held that post would be the Leader of the House of Lords. But in this Government the office is held in the Commons by Mr. Herbert Morrison.

(iii) MINISTERS, THEIR CATEGORIES, STATUS, SALARY, ETC.

MR. SINHA How many types of Ministers have you got?

MR. WHITELEY There are two types of Ministers in the main. Ministers with Cabinet rank and those without Cabinet rank.

MR. SINHA How many Ministers are in the Cabinet?

MR. WHITELEY Eighteen.

MR. SINHA What are the functions of a Minister of State?

MR. WHITELEY A Minister assisting in a particular Department is a Minister of State; but he has no Cabinet rank.

MR. SINHA Have you, besides, got Junior Ministers.

MR. WHITELEY Yes, we have Junior Ministers too. (Pointing to Vacher's Parliamentary Companion.) These are all Junior Ministers.

MR. SINHA Do you attend Cabinet meetings?

MR. WHITELEY I do, nearly all of them. Whenever any matter relating to the business of Parliament comes up before the Cabinet, the normal practice is to ask the Government Chief Whip to be present so as to acquaint the Cabinet with the general trend of political opinion and such other matters as he may like to tell the Cabinet. The Chief Whip is also called in if the Cabinet wishes to know the political reactions to a problem under discussion.

MR. SINHA So, practically you attend almost all the meetings of the Cabinet.

MR. WHITELEY It has almost become a practice now. Even otherwise, I see the Prime Minister for about half an hour every morning. Of course, during this month, on account of the fact that the Prime Ministers of the Commonwealth are here, he has not quite the same amount of time, but as a rule I see him about half-past-nine every morning to talk over Government business with him, when he may say to me, "Well, this is an important matter; you better come along with me to the Cabinet; I will arrange for you to be at the meeting so that we may have your opinion".

MR. SINHA The Parliamentary Secretaries are called Junior Ministers; you call them Parliamentary Secretaries or Junior Ministers?

MR. WHITELEY Their actual designation is that of Parliamentary Secretaries, except in the case of the Post Office and the Admiralty.

- MR. SINHA What are their emoluments, *vis a vis* the Ministers?
- MR. WHITELEY The Ministers draw £ 5,000 per annum and the Junior Ministers £ 1,500.
- MR. SINHA What about the Chief Whip?
- MR. WHITELEY I am somewhere in between them; my salary is £ 3,000.

(iv) PARLIAMENTARY APPOINTMENTS—
CONSULTATION WITH GOVERNMENT
CHIEF WHIP

- MR. WHITELEY Suppose there is a vacancy in the Cabinet, the Prime Minister asks the Chief Whip. Assuming he wants a New Minister of Works, the Prime Minister would consult the Chief Whip as to who he (the Chief Whip) thought would fill a particular position. (Or, he may mention a few names to me and ask for my reactions). All Parliamentary appointments made by the Prime Minister (whether of Ministers or of Junior Ministers) are done in consultation with the Chief Whip.
- MR. SINHA Supposing there is a vacancy in the Cabinet; is the Chief Whip elevated to that?
- MR. WHITELEY Well, it has happened previously, though it has not in our Government. In previous Governments Chief Whips have been invited by Prime Ministers to become Ministers.
- MR. SINHA As Chief Whip of the Labour Government what part would you play in the next election? I read only the other day that the Chief Whip of the Conservative Party has been entrusted with the future elections of the party and that he has been appealing for funds.
- MR. WHITELEY That is a party matter. The only thing that I do in election time, as I did last time, would be

that I would choose say in the northern area which is my home, probably 20 to 25 constituencies, and give whatever assistance I could to the party in its election campaign.

MR. SINHA Have you any voice in the selection of candidates?

MR. WHITELEY I am on what they call the "Elections Sub-Committee", and when there is a question of selecting a candidate or putting a candidate in the panel, I attend the meeting.

MR. SINHA Are you a Privy Councillor?

MR. WHITELEY I think it is a tradition that after a period of service the Chief Whip is invited to become a Member of the Privy Council.

MR. SINHA What is your 'period of service' as Chief Whip? Have you been Chief Whip of the Labour Party before?

MR. WHITELEY I have been the Chief Whip since 1942. During the Coalition Government, there were two whips one from the Labour Party and another from the Tory Party—Mr. James Stuart.

MR. SINHA You have been the Chief Whip since 1942: when were you made a Privy Councillor?

MR. WHITELEY In 1943, that is within two years.

MR. SINHA Are all the Ministers of the Cabinet necessarily Privy Councillors?

MR. WHITELEY They must be. A Minister cannot function as a Member of the Cabinet until he is a Privy Councillor.

MR. SINHA Are your Junior Whips paid people or not?

MR. WHITELEY Eight of them are paid; three are not. Seven are paid £ 1,000 a year; the four as Lords of the Treasury and the three as Household Officers

The Deputy Chief Whip gets £ 1,200 a year. The three other Assistant Whips only draw their salary as Members of Parliament. They do not hold any office, although they sit on the Government Bench and function as Whips.

MR. SINHA What is the allowance of Junior Ministers?

MR. WHITELEY The Junior Ministers draw £ 500 for incidental parliamentary expenses. There is no separate allowance for the Ministers who draw £ 5,000.

MR. SINHA What is the salary of the Members?

MR. WHITELEY The Members are paid £ 1,000 per annum.

MR. SINHA Do you draw any allowance for incidental parliamentary expenses?

MR. WHITELEY Yes, I do draw the same allowance of £ 500, but I have to show that I have actually incurred that expenditure. The only expenses of Members of Parliament which are recognised are expenses for holding meetings in his constituency. I may, for instance, fix a meeting in Birmingham in which connection I may incur certain expenses. These will be reimbursed to me.

MR. SINHA Where do you sit in the House?

MR. WHITELEY In the front bench just by the side of the Prime Minister, or, if he is not there, by the side of the Leader of the House. The Chief Whip sits on the right of the Prime Minister and the Lord President sits on his left.

(v) STANDING AND SELECT COMMITTEES

MR. SINHA What about Standing and Select Committees?

MR. WHITELEY We fix all those up. When there is a Standing Committee on Bills to be appointed we make out a list, we see the people whom we think are fit, have a word with them as to whether they will

be prepared to serve, and then we send all those names up, as do the Conservative Party and the Liberal Party. The Committee of Selection upstairs selects from those names.

MR. SINHA

For Select Committees, I submit names to the Minister concerned. So far as the Members of our party are concerned, I myself put their names down; in the case of other parties, the selection is done in consultation with them.

MR. WHITELEY

For Select Committees your procedure is exactly the same as ours. But for Standing Committees we make the nominations and present them to the Selection Committee who out of the names we put forward and from Tories and others, select the personnel.

MR. SINHA

There are other Committees too, besides the Standing and Select Committees. There are the Departmental Committees appointed by the Ministers. I have introduced this principle that if any particular Minister has to choose any particular Member of the House to serve on their Departmental Committees, he has to consult me. But if he is to take anybody outside the House, well then I do not come into the picture. But if any Member of the House is to be put in, on a Departmental Committee, the Government Chief Whip has to be consulted.

MR. WHITELEY

That is exactly what we also do here.

(vi) CHIEF WHIP'S OFFICE ORGANISATION

The Chief Whip has a Secretary who is a Home Civil Servant, who in turn has an assistant, two clerks, a steno-typist and a typist. The Chief Whip has his own Stenographer. In the past the Chief Whip had a Personal Secretary who would do his own and his constituency work. So

far as the official staff is concerned, the Secretary to the Chief Whip is the head. All the staff belong to the Treasury. At the House they have a staff of eight messengers.

Information about the Government's legislative proposals comes to the Chief Whip under arrangements made in the office of the Cabinet whereby the Chief Whip receives copies of all memoranda on matters requiring legislation. He also receives all papers which come up before sub-committees connected with legislation. He is not a member of the Cabinet, but attends when business of the House of Commons is being discussed and is available to be called in when his advice is required.

The Chief Whip and his staff in closest co-operation with the Parliamentary Counsel (which corresponds to the Drafting Section in the Ministry of Law in India) strive to maintain a steady flow of legislation. The Chief Whip maintains continual pressure upon Ministers and Departments to keep up-to-date with their plans.

(vii) FUNCTIONS OF THE LEGISLATION COMMITTEES AND LORD PRESIDENT'S COMMITTEE

The function of the Future Legislation Committee is to consider the legislation for the future sessions or the next session. The purpose of that is to enable the policy on the Bills to be settled quickly and the drafting of the Bills put in hand so that the Bills can be ready for presentation at the very beginning of a new session.

The Lord President's Committee (or the Home Affairs Committee) is the Committee at which the principle of legislation is determined.

The Legislation Committee is the Committee which examines the Bills after they have been drafted and is concerned mainly with the form of the Bill.

In March a list of Bills for the forthcoming session is drawn up. Many of these have been promised by the Government or figure in the programme put to the country at the General Election or be necessary to renew expiring legislation, etc. This list is approved provisionally by the Cabinet and Ministers are directed to give instructions to Parliamentary Counsel. The Bills are arranged in various categories having regard to their importance.

In September before the commencement of the parliamentary session the programme is, so far as possible, finally determined. The programme may be changed during the progress of the session, in view of any emergency Bills that may have to be passed by Parliament.

28th October, 1948

**Mr. M. N. Kaul and Mr. A. W. M. Bull and Mr. S. C. Hawtrey
of the Journal Office, House of Commons**

(i) JOURNAL OFFICE

Mr. Bull is in charge of the Journal Office. The other staff consists of :

Mr. Hawtrey
Mr. Marples
Mr. Gordon and
Mr. Allen.

Besides there are two office clerks (messengers).

MR. HAWTREY This office is quite unlike an administrative office in that there is practically no clerical work. Almost the whole work of the office is done by Clerks of the grade of Administrative Officers in the Civil Service, like Principals and Assistant Principals and although a good deal of this work is what might be called 'routine work', there is also work which requires some experience and intelligence. The work of the routine clerks consists in typing, supplying stationery, and receiving documents from the Public Departments, which come during the session as well as during off-session. Actually, we have very little typing work in this office.

MR. KAUL How are you occupied during the off-session period?

MR. HAWTREY The office is closed then; it only remains open for the reception of parliamentary papers.

MR. KAUL You get leave for the period when the House is not sitting.

MR. HAWTREY On an average, the House's sittings cover a period of nine months. The non-session we take off, if there is no work. But when there is work to be cleared off we have to attend office. For instance, we had to reprint the Standing Orders recently and that meant a good deal of work during the recess.

(ii) REVISION OF MAY'S PARLIAMEN- TARY PRACTICE

MR. KAUL I saw with Mr. Gordon a copy of May's Parliamentary Practice interleaved and he was making notes and changes in it; I understand that a new edition will be brought out.

MR. HAWTREY The work of editing May is usually done by the Clerk of the House. The actual work of preparing corrections is done by representatives of the different offices who may be concerned with the particular work in question. Mr. Gordon's work is probably to collate the material so far as his section goes. He acts as a sort of Secretary in connection with this work.

MR. KAUL You mean to say he is expected to receive corrections as they are handed in. The spadework for the revision of May's is done in all the branches or sections and is centralised in the Journal Office and then put up to the Clerk at the Table for review and recasting.

MR. HAWTREY The Clerk of the House is really the Editor and he does the real work on it, but it is the duty of all of us to make notes on anything that we find in May which needs alteration either owing to mistakes being discovered or change in practice.

(iii) HEAD OF THE NIGHT

The man who is at the Votes and Proceedings Office for the night is called the 'Head of the Night'.

(iv) RESUMPTION OF DEBATE

In theory it is an order of the House that the debate be resumed tomorrow; but in practice, however, the Speaker just says 'Order, Order' and enquires from the Government Benches or the Chief Whip whether it is the intention to resume the debate, and if so on what date, and orders accordingly.

(v) DEBATE ON ADJOURNMENT

Whatever the hour that the House concludes its business, a motion is always moved that the 'House do now Adjourn' in order to have an opportunity for the usual discussion for half an hour relating to matters of public importance of which notice has been given to the Speaker.

(vi) INDEXING OF JOURNAL

There is an index compiled every ten years for the Journal.

28th October, 1948

Mr. M. N. Kaul and Mr. T. H. O'Donoghue, Editor of Debates,
House of Commons

(Mr. R. Subramaniam, Private Secretary to Secretary and Sub-
Editor, House of Commons, were present.)

(i) SYSTEM OF RECRUITMENT OF REPORTERS AND
EDITING STAFF

MR. SUBRAMANIAM What is the strength of your reporting and editing staff?

MR. DONOGHUE Our present staff consists of eighteen reporters, two Sub-Editors, an Assistant Editor and a Chief Editor, or rather Editor, that is myself.

MR. SUBRAMANIAM How is the recruitment of staff made: do you recruit them direct, or is it done through some examining body, like the Public Service Commission, or Civil Service Commission, as it may be?

MR. DONOGHUE Well, there is no such competitive examination as such. Recruitment of our reporters is made largely from the Press Gallery, but not exclusively. I have on my staff some reporters who were on the League of Nations (one or two); we have one from the Northern Irish Parliament.

We pick out a man and try him. We give him a test on his shorthand speed and also test him with regard to his ability to produce a verbatim report—a report in which redundancies are left out and obvious grammatical mistakes obviated. No minimum speed is prescribed; but

a candidate is expected to take down at about 200 words per minute. As a rule, debates in Parliament average somewhere about 160 to 180 words per minute.

(ii) CORRECTIONS TO DEBATES

MR. SUBRAMANIAM How do you get the speeches of Members corrected? What we do in India is that a copy of the speech is sent to the Member and he is expected to return it within twenty-four hours.

MR. DONOGHUE A Member can come up and see the typescript of his speech before it goes to the printer, but he is not allowed to make any extensive corrections. It is at the discretion of the Editor whether a correction is allowed or not.

Well, we do not allow them to delay the copy too much. We keep the typescript for about a couple of hours after the delivery of the speech. After that whether the Member has seen it or not, it goes to the printer. Then the daily part comes out. The Member gets it delivered to him by post at about 8 A.M. (at his breakfast table). If he wishes he can make corrections in the daily parts which will be incorporated in the bound volume which is the permanent record. The bound volume appears roughly about a month later. As I told you, any corrections made are allowed or disallowed at the discretion of the Editor.

(iii) TURNS OF REPORTERS

MR. SUBRAMANIAM What is the system of your relay?

MR. DONOGHUE During question hour two Reporters sit together; for the rest of the debate we do not keep two, but, as a rule, the man who is to relieve, comes a little before his time and watches the debate to follow its trend. Reporters take ten minutes' turn.

MR. SUBRAMANIAM Do you experience any difficulty in regard to acoustics?

MR. DONOGHUE On the whole the acoustics are good. But our Reporters at times experience difficulty in hearing the Speaker on account of the canopy above his head which obstructs his voice being heard up. In the House of Lords the acoustics were bad, but they have been greatly improved by the microphones.

After all a reporter is only a human being, and at times does not hear or mishears, and when such things happen, we try to get into touch with the Member concerned, or get his notes.

MR. SUBRAMANIAM How many turns does a reporter get per day?

MR. DONOGHUE On an average, four to five turns per day. He may have to do a Standing Committee as well in the morning. During the middle of the session we have very hard work, because we have the Standing Committees as well as the House sitting. I, therefore, generally let certain number of men a Friday off.

MR. SUBRAMANIAM What are the scales of pay of the Editing and Reporting staff?

MR. DONOGHUE These are the scales :

Editor	£ 1,000—1,160
Assistant Editor	£ 850—1,000
19 Reporters on	£ 650—850
1 Reporter on	£ 525—765
(2 Reporters get a sub-editing allowance of £ 100.)	

Until after the war we had only 12 reporters and no sub-editors. It was due to the increase of work after the war and the extension of the Standing Committee system that we got the staff increased to 18 and got permission to have two

sub-editors to ease the work of the Editor and the Assistant Editor.

The House normally rises at half past ten, but if they decide to sit later than that we have an auxiliary staff. This is recruited from the Press Gallery. The auxiliary staff get a retaining fee as below :

After 10 o'clock up to 10-30	
P.M.	2 guineas.
After 10-30	3 guineas.
After midnight	4 guineas.

They also get a folio rate of 1 s. per 72 words.

(iv) SYSTEM OF REPORTING STANDING COMMITTEES

MR. KAUL

What is the system of reporting Standing Committees?

MR. DONOGHUE

We may have as many as four committees sitting at the same time. We put five reporters to take notes of each committee. They do quarter of an hour turn. We have one man who sits there all the time. That means we have a staff of five reporters, four of whom are taking notes in turn, and one of whom sits by and watches the amendments, sees whether they are properly put down in the reports, whether the proper nouns are put down all right. He afterwards revises the whole report in typescript before it goes to the printers. We send the report straightway to the printers. The supervisor is a senior member of our reporting staff. He does not get any special pay for it. The work of the supervisor is to coordinate the work of all reports. A reporter has no continuous picture of the whole proceedings. The supervisor sitting as he does throughout the proceedings, has a complete view so that he is in a position to review

all the shorthand notes as a whole and then to correct any inconsistencies or mistakes that may have crept in. The point about it is that we have to get this report off to the printers right away. It is not something which you can keep for some time.

MR. KAUL

There is a very large number of Standing Committees functioning here because the procedure of the House of Commons is that a Bill is either referred to a Standing Committee or is taken up in the Committee of the whole House. One mode of reference excludes the other. If it is decided to take it up in the Standing Committee, then there is no Committee of the whole House.

MR. DONOGHUE

In no sense is a Standing Committee as constituted in the House of Commons different from the whole House functioning, except that a Chairman presiding in a Committee is not invested with the same quantum of power as the Speaker of the House.

MR. KAUL

Do committees sit while the House is also sitting?

MR. DONOGHUE

Yes, they do; but very rarely.

The strength of our reporting staff is determined with reference to the work in the House and the work involved in a very large number of Committees to which Bills are constantly referred and the work involves verbatim report of proceedings.

We had considerable difficulty in recruiting the staff and I should make it clear to you that we have actually a staff of twenty because we have two reporters who act as sub-editors. They are reporters, but they act as sub-editors.

The work of the sub-editor lies in correcting typing mistakes, mistakes from quotations and giving a general revision. Of course, the reporters themselves read up their typescripts and correct any obvious mistakes.

(v) EDITING OF SPEECHES

SUB-EDITOR

Our main work is to see that the Member talks grammar. We put his words in good English, detecting misreporting if any. Reporters are after all human and they make mistakes in reporting and we detect them as far as we can. Members as you know have a right to come and see their speeches and make corrections. We judge for ourselves as to whether the corrections are justified. If the corrections are not justified we do not allow them.

We have to be very careful that in reporting anything important the "Times" and the other important papers give the same version; we have to make sure that we do not deviate from them and *vice versa*. We, therefore, keep ourselves in touch with the Press reporters. We see to it that the newspapers print the same version the next day. There is a working understanding between us, by which one does not let down the other.

Notes made by the Members are sent to us. For instance, the notes made by Mr. Churchill of his speech just now are here.

In the matter of corrections, we are guided by the following ruling given by the Speaker:

"I have consulted the Editor of Official Reports on this matter, and he tells me that although Honourable Members make corrections, he revises those corrections and it does not follow

that because an Honourable Member makes a correction in the proof that correction is always accepted. I asked the Editor on what principles he went and he said that the chief principle which guided him was to obtain an absolutely correct report of what was said He is very careful not to allow any corrections which would in any way alter the general sense of the speech made, but he does accept corrections, for instance, faults of grammar ”

(vi) LIAISON WITH THE PRESS

We work in friendly conjunction with the reporters of the Press Gallery. We help mutually and help each other. In the tray over there is the duplicate copy of the official report of speeches. The press reporters can come along and refer to them at any time. They are however never expected to divulge the source of their report.

(vii) SHORTHAND NOTE BOOKS

The House of Commons reporters use shorthand note books which open flat. The explanation for this was that the ordinary reporter's note book's flaps extend or hang loose from the gallery into the House and spoil the appearance.

(viii) TYPING OF NOTES

The reporter never types it himself. After taking down notes, he reads it back, checks it up and dictates it to a typist, who straightway types it. The reporter and the typist sit in a glass cubicle. There are six such cubicles. The speciality of these cubicles is that they are made of sound proof glasses. With the result that the rattle of the type-writer is absorbed

within the room and is not heard either outside the cubicle or into the other cubicle. The result is each reporter and typist is able to work undisturbed by the noise in the other room or cubicle.

The typists are Stationery Office employees. They are not employees of the House of Commons. They are supplied for the duration of the session, from the general pool of the Stationery Office.

(ix) HOURS OF WORK OF REPORTERS

MR. DONOGHUE

The strain on our reporters is very heavy. There may be standing committees sitting all the morning and the House from the afternoon till late into the night. It is, therefore, thought necessary to give them some relief by turns on certain dates in the week. Although when the session starts this may seem in the nature of a gift, it is an essential relief as the session progresses.

On the whole, spreading it over the whole year, the reporter's hours of work comes to about eight hours a day. Their work is intensive and concentrated over a particular period of the year. Of course, they do have a recess and that is the real attraction in the job.

(x) OTHER COMMITTEES

MR. KAUL

In addition to these Standing Committees you have other committees as well, isn't it—*ad hoc* committees and Committee on Estimates?

MR. DONOGHUE

So far as the Committee on Estimates is concerned, there is only one reporter, who takes down the proceedings continuously for three hours. Of course, he is under no obligation to reproduce

verbatim report immediately. He takes his own time because those proceedings are not published for some considerable time.

MR. KAUL

So that, if there were no obligation to bring out the Hansard the next morning, you can do with a smaller number of reporters. The larger number of reporters is really necessitated as part of the arrangement to bring out the reports the next morning. The whole arrangement, set-up and general organisation has one objective in view, namely, that the Hansard has to be brought out the next morning and it is with that object in view that the whole machinery is organised.

MR. DONOGHUE

Our aim is to get the report out quickly and at the same time as thoroughly revised as it is possible in the time.

Actually, we are responsible only for reporting the proceedings of the House of Commons and its committees. There is a separate staff for the House of Lords.

(xi) HANSARD

MR. KAUL

What is your liaison? Mr. Fellowes said that he is responsible for the Journal and not for Hansard. I had a talk with Mr. Bull as well and I understood that there was a close liaison maintained between the Journal Office and the Hansard, because Hansard contains a good part of what is in the Journal. Your reporters, as you said, are taken for the most part from the Press and are not likely to be well-versed with procedure.

MR. DONOGHUE

There is, of course, a certain amount of consultation with them in regard to forms. Myself and the Sub-Editor are well versed with forms.

The only thing is that occasionally a reporter may be in doubt as to what is done at the Table on account of difficulty of hearing.

(xii) AMENDMENTS

MR. KAUL

In our House the main difficulty experienced by reporters is about amendments when they are quickly disposed of—particularly manuscript amendments.

MR. DONOGHUE

We have very often to consult the Clerk at the Table as to what is actually done when a large number of amendments are put through very quickly. We generally have a lag of about an hour or two, and the Sub-Editor or the Assistant Editor rings up the Clerk's office. The Table Office has no responsibility in the matter, but they oblige us when we are in doubt about anything.

(xiii) REPORTING OF APPLAUSE AND OTHER PHYSICAL MOVEMENTS

MR. KAUL

I find that in Hansard applause and other physical movements of Members are reported.

MR. DONOGHUE

Well, if a Member addresses a question directly to a Minister, "Will the Minister say whether such and such a thing is the case" and supposing the Minister nods his head, then we have naturally to put it down whether it is assent or dissent, as the case may be, because that physical movement may be vital for the elucidation of the rest of the speech.

Again we use the word 'Interruption' which connotes a multitude of things. The general principle we follow is that we do not give any interruption unless the Member rises to his feet.

(xiv) NIGHT SHIFT

MR. DONOGHUE

When the House sits after 10-30 we take the help of six or seven press reporters who have finished their work by 10 o'clock. There is a supervisor of night shift who is a press reporter himself.

(xv) PRINTING

So far as printing is concerned, we do not bother about proofs at all. We leave the proof reading entirely to the printers. But before the final copy is printed the whole of it is checked up by us. I give a general reading to see that there are no glaring mistakes.

(xvi) CHECKING OF QUOTATIONS

In Churchill's speech today there was a quotation :

Oh no ! we never mention *it* ;
Its name is never heard.

The reporter who had correctly taken down the last word of the first line as 'it' checked up the quotation and found it as 'her' in the original. He, therefore, changed it into 'her' and brought the correction to the notice of the Sub-Editor. The Sub-Editor brought it to the notice of the Editor (Mr. Donoghue) who decided that the word should remain as 'it' as Mr. Churchill had varied the quotation to suit his context.

(xvii) RULINGS OF THE SPEAKER

All rulings of the Speaker are immediately duplicated and sent to him. He sees every ruling immediately afterwards.

Extracts of all rulings of the Chair are maintained and indexed by the Table Office.

PART II

**Summary of other conversations with the
officials of the House of Commons.**

VII

DEPARTMENT OF THE CLERK OF THE HOUSE

The Clerk of the House, the Clerk Assistant and the Second Clerk Assistant with their wigs on sit at the Table below the Speaker's Chair in the gangway. The Second Clerk Assistant is selected from the general body of senior clerks with due regard to his experience, capacity and age so that he can in the normal course become the Clerk of the House.

The Senior Clerks correspond to the Principals in the Ministries and the Assistant Clerks correspond to Assistant Principals.

One appointment of the Clerk of the House that was made from outside was that of Mr. Ilbert who was appointed to that post directly.

Subject to fitness, the heads of office are promoted automatically by seniority. The Second Clerk Assistant is appointed at a younger age than heads of offices.

The Clerk of Private Bills and the Clerk of Financial Committees correspond to Assistant Secretaries in Ministries and are on a slightly lower footing than the heads of other three offices.

VIII

TABLE OFFICE

The Table Office is a recent addition. One of the Clerks at the Table was responsible for starting it. Formerly all amendments and questions were handed over to the Clerks at the Table in the House itself. This was unsatisfactory as it was not possible to carry on conversation in the House or explain various matters to the members. The creation of the Table Office has been of great help. Members now usually hand in their questions and amendments in the Table Office. It is also the business of the Table Office to advise members on various matters of procedure and assist them in getting information on various odd matters. A member in the House of Commons wants information on all kinds of things. He may require the Clerk at the Table to assist him in framing an amendment. He may ask him as to where he could get information on a particular point. The Table Office has relieved the Clerks at the Table from being pressed with answers on many odd questions and members have in course of time begun to make full use of the Table Office. In short the function of the Table Office, in addition to its normal official duties, is to assist members in all possible ways in connection with the business of the House.

The Table Office answers all questions of a general character and assists members as to where they should go in order to find a particular information.

It was found inconvenient to carry on conversation with members under the Speaker's nose. Much of the conversation that used to take place in the House is now dealt with in the Table Office.

IX

DISTRIBUTION OF PAPERS TO MEMBERS

Members living within a radius of three miles of the House of Commons have the Vote, questions and amendments delivered to them by messengers. The messengers go on bicycles. If they leave at 8 o'clock in the morning, papers are delivered by 10 o'clock. Ten temporary porters are employed for this purpose. At present 350 members live in clubs and hotels. Those who live outside the three miles area have their papers sent to them by post. The same procedure is followed in the case of those who are outside London.

Some members arrange to have their Bills sent to their agents or Secretaries.

The Prime Minister and other important persons have their papers sent to them direct from the Stationery Office.

Unless a member applies, papers are not delivered. Even a Minister must apply.

A small office is located in the lobby where all papers can be obtained.

The office clerk in charge reads the orders of the day and sees to it that all papers for the last three sessions are there.

To help Ministers, 30 copies of the Bills are placed on the Table of the House and amendments are also placed there so that the Ministers and front bench Opposition Members may take these papers as they pass. All the stuff is also available on the counter in the lobby and members can go and take whatever Bills and amendments they want. A member has not to wait for more than two minutes for any paper for the last three sessions.

Hansard for two sessions is kept in the lobby office.

Every paper that comes in is indexed. The index is numerical and also by the name of the report.

There is also what is called a "Chairman's Book", that is Committees having a Chairman are usually known by the name of the Chairman. Then there is an index relating to Public Bills. Another index relates to amendments and is called the "Amendment Book".

20 loose leaf copies of the Hansard are kept for the use of members so that they may take out such portions of the Hansard as they require.

X

ARRANGEMENT OF BUSINESS

It is for the Government Whip to give actual items of Government business.

The Speaker asks in the House when a particular Bill may be read a second time and the Whip gives the date.

There are no private members' Bills at the present time. Government give instructions that all their stuff should be automatically postponed from time to time.

What the Leader of the House announces on a Thursday is not a cast iron arrangement. It is open to the Government to amend that announcement with due notice.

What are really notices of motions are sandwiched between orders of the House. These notices represent pious hopes.

XI

DEBATE ON ADJOURNMENT MOTION AT THE END OF BUSINESS

On a motion for adjournment of the House it is open to private members to refer to their grievances and matters relating to administration. The Speaker puts the question that the House do now adjourn. A private member who has previously given notice of his intention to bring a certain matter before the House gets up to make a reference to it. Half an hour is reserved for this purpose after the conclusion of business.

Where a private member has taken up a certain matter with the Minister and as a result of the correspondence that has ensued he is not satisfied or where the reply to a question is unsatisfactory, the member concerned gives notice that he will raise the matter on adjournment.

XII

BILLS

(i) *Money Clauses in Bills*

The Bill comes in proper form. Clauses which create a new charge on public funds or impose new taxes, or in other words all financial provisions, are printed in italics in the Bill that is presented to the House. Decision in regard to these matters is taken in the Public Bill Office. Assessors are appointed under the Standing Orders by the Speaker. The Speaker is responsible for making up his mind. The Assessors assist him if required. The Assessors are called in occasionally if the case is a doubtful one, particularly if it has a political aspect.

(ii) *Money Resolutions*

A money resolution (Standing Order 84) calls specific attention to the financial provisions of a Bill. The general practice is to move these resolutions after the second reading. Money resolutions are wide enough to cover the provisions of the Bill. There was a complaint sometime ago that money resolutions had a very restricted scope. A Committee was appointed to examine the matter and this Committee recommended that money resolutions be drafted widely. Historically speaking, the tendency in earlier times was to reduce expenditure and that accounted for the restricted scope of money resolutions. Now the tendency is to give a wider scope to a Government which is responsible to the Legislature. The money resolution does not put in conditions and exceptions which are contained in the Bill.

A money resolution is not valid unless Crown has given his consent.

A money resolution binds the Crown. Similarly for every provision dealing with prerogative matters, that is affecting the Royal prerogative, the King has to give his consent. Where the

private interests of the King are involved, for instance the Duchy of Lancaster and Cornwall,—the consent of the King is necessary.

(iii) *Explanatory and Financial Memorandum to a Bill*

There is a ruling of the Treasury that the financial memorandum should give an estimate of the expenditure involved if the measure becomes law. The explanatory memorandum should be factual and not argumentative. In other words, it should give an objective view of the Bill.

XIII

EARLY DAY MOTIONS (PRIVATE MEMBERS)

Notices of these motions are not given with any intention to bring forward such motions but with the object of advertising the motions and gathering support for them. During the war early day motions were pious resolutions. They were used very largely as a method of canvassing opinion.

Whips obviously keep a watch over these motions and where they do not favour a particular motion they arrange, if possible, and ask members to take off their names.

The first six names to an early day motion are treated as a "Label" and appear whenever the motion is printed. New names are added underneath and appear once only, that is to say, each day's new names are added as the first after the constant names. A tabular statement is attached giving a synopsis of the position and indicating the total names so far appended to the motion.

Illustration

NOTICE OF MOTION FOR WHICH NO DAY HAS BEEN FIXED

Sir Ian Fraser,—

Mr. Bartlett,—

Sir Ronald Ross,—

Commander Noble,—

Mr. Edelman,—

Lieutenant-Commander Clark Hutchison,—

Mr. Edgar Granville

Major Lloyd George

Lady Megan Lloyd George

Mr. Ward

Colonel James Hutchison

Mr. Marples.

Lt.-Col. Sir C. Headlam

Sir Ernest Graham-Little

Mr. Niall Macpherson

War Pensions.—That a Select Committee be appointed to consider War Pensions and Allowances.

2. Index to Notices of Motions for which no days have been fixed :—

Number and Title of Motions	Pages	Number of names appended
<hr/>		
1. United Nations appeal for children	56, 106, 114, 130, 146	174
2. War Pensions 114, 130, 146-7, 165, 171	224
3. International Situation	... 131, 147, 165	8

XIV

VOTES AND PROCEEDINGS

(i) *Minute Book*

The Clerks at the Table in the House of Commons maintain two books which are called Minute Books and in which what is done in the House in contradistinction to what is spoken is accurately recorded. The idea of having 2 Minute Books is to ensure accuracy of record and also to enable one of the Clerks to absent himself from the House from time to time. As soon as a Clerk leaves the Table he makes a note to that effect in his Minute Book and for that period there is obviously only one record taken down by the other Clerk who is available. These Minute Books date back to early times. One of the old Minute Books is kept in the Library of the House of Commons in a glass case and it has historical value inasmuch as the pages of this book were torn by Charles I in a moment of rage when he came to the House of Commons. What is recorded in these Minute Books is proof of the decisions taken by the House.

(ii) *Book Entries*

A number of matters which are not actually mentioned in the House are, under the House of Commons practice, deemed to have taken place in the House of Commons. Notices of these matters are given at the Table and it is assumed that the necessary proceeding was taken in the House. Such matters are as follows:

1. Messages regarding various stages of Bills.
2. Presentation of Reports.
3. Formal motions such as the motion by a member for leave to postpone the date of a Committee meeting.

All these formal motions are deemed to have taken place so that they can get on record. It is assumed that such matters took place before the business on the Order Paper actually commenced.

Public petitions and all papers that are presented to the House are sent direct to the Office. These matters are not actually mentioned in the House and the entries in respect of them are known as "Book Entries". Such entries are Reports of Committees, messages from Lords, etc. Book entries are minuted before actual proceedings begin. In the minutes it is noted whether an amendment has been negatived, withdrawn, or any other proceeding in relation to an amendment. Where an amendment is carried, all that is noted in the Minute Book is "Amendment made".

(iii) *How Votes and Proceedings are compiled*

These Minute Books are, after the rising of the House, sent to the Journal Office. It is from these Minute Books that the Votes and Proceedings of the House are compiled. The Votes and Proceedings in addition include the presentation of documents. It is the practice in the House of Commons that documents are sent to the office of the Clerk at the Table and are deemed to have been presented to the House. It is not necessary that the documents which have to be laid on the Table should be formally so laid by a Minister or a Parliamentary Secretary in the House itself.

(iv) *Form Book*

These Votes and Proceedings are compiled with great accuracy and follow certain well settled forms. In order to ensure adherence to procedure it has been found necessary to print a "Form Book" in which all precedents relating to forms for the purpose of preparing the Votes and Proceedings are entered. This book is revised from time to time and the copy now in use in the office contained a large number of slips by way of amendment of forms. It is therefore apparent that forms are under continuous revision and, where necessary, new forms are devised for the purpose.

As the person who is responsible for preparing Votes and Proceedings from the Minute Book has to repeat a number of forms it has been found convenient to print the forms so that they can easily be pasted while the Votes and Proceedings are under preparation and thereby time is saved in writing out settled forms. The work on Votes and Proceedings is finished expeditiously as

these have to be sent to the Press immediately so that they are printed and are in the hands of members on the following morning.

(v) *Index Book*

An Index Book is maintained for the Votes and Proceedings. The index is maintained on an alphabetical basis. As soon as the Votes and Proceedings are printed they are at once indexed so that any information relating to the proceedings of the House can be easily gathered by reference to the Index Book which is very carefully prepared under suitable headings. These Index Books are maintained from year to year.

(vi) *Journal*

The Journal of the House dates back to ancient times. It is prepared from the Votes and Proceedings and generally speaking it can be said that the Journal records in an extensive form all that is done in the House. The preparation of the Journal is also taken in hand as soon as possible, but its preparation is not considered urgent and takes time. The Journal is the official record of what is done in the House of Commons and is cited in courts whenever any necessity arises. As the Journal is prepared later it is possible to correct any mistakes that may have crept into the Votes and Proceedings.

XV

STANDING COMMITTEES ON BILLS

(i) *Constitution*

The permanent nucleus of Standing Committees is generally 20 and a number of them, A, B, C, D, E, are constituted.

A Bill is either considered by the Committee of the whole House or referred to a Standing Committee which is a microcosm of the House. The procedure in respect of Standing Committees is in practice more or less the same as in the Committee of the whole House. No witnesses are allowed. The Committee considers the Bill and makes amendments. The Bill, as amended in the Standing Committee or the House, is then considered in the report stage. It sometimes happens that the Government cannot get in a particular clause in the Committee and put it back on report.

(ii) *Arrangement of Seating*

The arrangement of seating in the Standing Committee is described below :

- (a) In the middle of the long table on a raised platform the Chairman of the Committee takes his seat. On the left of the Chairman sit the Senior Clerk and the Junior Clerk of the House of Commons. It is their function to advise the Chairman on points of procedure and to keep a record of the minutes and the Amendment Paper showing the decision of the Committee on each amendment. Next to these Clerks of the House of Commons there is a seat which is occupied by the Supervisor of Official Reports. His duties will be described later. On the right of the Chairman the first seat is occupied by the Draftsman who advises the Chairman on all points involved in connection with the drafting of amendments

and how they fit into the Bill and any other general questions that may arise in connection with the amendments and other matters bearing upon the Bill. Next to the Draftsman sit a number of representatives of the Department which is concerned with the Bill whose opinion is readily available to the Chairman on any questions that may arise in connection with the Bill. Behind the long table a number of chairs are placed where officers belonging to the Department are admitted in order that they may be able to give any assistance that may be required of them in the way of papers and other matters. One of the chairs with a small table is occupied by a messenger.

- (b) The benches in the room are arranged in the same manner as in the House of Commons, *i.e.*, there is a row of benches occupied by the supporters of the Government and the opposite row of benches separated by a gangway which is occupied by the Opposition members. The representatives of the Press are also allotted a number of seats. A few seats are also provided for such members of the public and others interested in the Bill who may like to attend the meetings of the Committee. A small table in the gangway is available for the Reporter whose duty it is to record the proceedings of the Committee verbatim. As the Reporters come by turns, it is obvious that no Reporter has a continuous hang of the entire proceedings which are eventually pieced together. It has therefore been considered necessary to have a Supervisor of Official Reports at the table who is present throughout the proceedings and is therefore in a position to detect and correct any mistakes that may have crept into the Reporters' copies. It is his business to supervise the report of the proceedings and check up all matters before they are finally sent to the Press.

(iii) *Meetings*

The first meeting of the Committee is fixed by the Chairman and subsequent meetings are fixed by the Committee as they meet

from time to time. The dates for the meetings of the various Committees are noted in a book placed in the Committee Office and it is the duty of one of the office clerks to examine that book and circulate the date to every member of the Committee.

(iv) *Documents*

The following documents are prepared in connection with the meetings of the Committees :—

- (i) Minutes of what is done in the Committee.
- (ii) A record of the decision of the Committee on the amendments which is noted on the Amendment Paper.
- (iii) A verbatim report of the proceedings of the Committee which is printed and circulated to the members on the morning following the meeting of the Committee.

(v) *Amendments*

Notice of amendments as they are received from members are put in parliamentary form and circulated from time to time. If a meeting of the Committee is fixed for say Wednesday, the amendments are marshalled on Tuesday night so that they are available to the members on Wednesday morning.

There is a conference at which the Chairman of the Committee, the Draftsman and the Clerk of the Committee are present to consider whether amendments are in order. This is done every day before the Committee starts its work. Amendments which are out of order, amendments not covered by money resolutions, amendments outside the scope and trivial amendments are marked. It is in the power of the Chairman to select amendments and it is his discretion not to accept certain amendments. He exercises his discretion well and fairly.

XVI

COMMITTEE OF SELECTION

This Committee is primarily constituted for private Bills under Standing Order 109. The usual practice is for the Government to put down a motion before the House nominating the Committee.

As a matter of practice the Committee of Selection does nomination for both private and public Bill committees. It generally assists in constituting committees. The Whips as usual play their part in the constitution of committees. It is the practice to ensure that elderly and respected members of the House are represented on the committees. There is normally a pleasant settlement in respect of these nominations.

XVII

ESTIMATES COMMITTEE

The Estimates Committee is in effect an economy committee. It examines what economies are possible or can be made in the estimates. Its work does not cut across declared policies. It is set up in November and finishes its work in July. In order to expedite work sub-committees are constituted. For instance, one sub-committee recently visited Germany, another sub-committee visited Austria. The work is concluded by the end of the session. The Committee also submits reports from time to time. There are three regular investigating sub-committees of the Estimates Committee.

If the Committee is dissatisfied it can take up the matter again or a member can raise the matter in the House.

The normal procedure is for the Clerk to prepare the first draft. The evidence before a committee is printed. For a three hour session, one steno-typist takes the notes. (These men are accustomed to taking down evidence of witnesses in law courts and Royal Commissions.) The typescript is ready within 48 hours. Printing is done by the Stationery Office and the evidence is issued in a week's time. One copy goes to each witness and to the members of the Committee. A copy also goes to the clerk who is responsible for preparing the draft report.

The Clerk who is responsible for drafting the report prepares a summary of evidence for his own use. Ten copies of this summary are prepared. The clerk has conversations with the Chairman in order to verify his impressions of the Committee's views and how particular paragraphs of the report should be drafted.

There are "Financial Liaison Officers" in the Treasury whose additional job it is to attend to estimates. The clerk who drafts

the report also keeps in touch with them in order to clear up any doubtful points. It is open to the clerk to consult others of the outside world in order to gather any information that may be necessary for him to have for a clear statement of the facts in the report.

Before the war the Treasury Official attached to the Committee used to prepare the draft. At the beginning of the war the procedure was changed. There was a Select Committee on national expenditure which worked through six or seven sub-committees. The pre-war practice of asking the Treasury official to write the report was discontinued.

The strength of clerks who attend various committees is five and it is sometimes necessary to take an additional clerk from other sections.

The Committee usually meets at 10-30 A.M. and with the usual lunch interval goes on till 3-30 to 6 P.M.

XVIII

QUESTIONS

(i) *Order Book*

After the House rises Mr. Gordon, Second Clerk Assistant, goes up to the Votes and Proceedings Office where the Superintendent of Printing of Votes and Proceedings, Mr. Turmaine, is waiting for him. Among other things, Mr. Gordon hands over to him the Order Book in which latest instructions are noted as regards the final printing of questions in the Order Paper. For instance, on the 29th October 1948, the Order Book that was handed over to Mr. Turmaine contained the following instructions:

(a) Under instructions from the member who had given notice of the question some starred questions were unstarred.

(b) A question was extensively amended.

[It is the practice in the House of Commons that such extensive changes can only be made by the member if the Minister who is responsible for the question has no objection. In ordinary cases where the concurrence of the Minister has not been taken, it is for the Clerk at the Table to decide whether the question has been amended to a substantial extent so as to convert it into a new notice.]

(c) Some questions were postponed or transferred to a future specified date.

(ii) *Right of members to ask questions*

The right of questioning Ministers is a valuable right inasmuch as during question hour private members can initiate important matters. There is no question of Government increasing the amount of time that is allotted to questions. It is, therefore, not right that improper questions are admitted as that keeps off good questions from the list. It is no use admitting a question where

a Minister gives a cryptic reply that it is not his responsibility. It should be explained to the members that they should co-operate with the Speaker in regulating the questions that are entered on the question list. Improper questions waste time. It is better that questions relate to matters within the sphere of ministerial responsibility. It should be explained to members that the question hour is of limited duration and the whole idea of regulating it by rules is that full use should be made of it. The question hour offers a tremendous opportunity to hit at Government. If silly questions took up the time, the privilege afforded by the question hour would be wasted. If matters are properly explained to them, the members will realise that if they stick to rules, the utility of the question hour may be raised to the maximum limits. One of the methods of getting into touch with members is to explain matters to junior Whips who can in their turn get in touch with their members and spread proper knowledge regarding questions, the rules governing them and the advantages in putting proper questions.

Each member has the right to ask three questions if time permits. Priority is given to the questions for the Prime Minister which always commence at No. 45. It is the business of the Clerk at the Table to select three questions of every member that should appear highest in the marked list. The attempt is to devise a method so that every Minister has an opportunity to answer questions.

It cannot be said with certainty that the grouping of questions of each Minister has decisive advantages. It, however, does save the time of individual Ministers as they need not be present throughout the question hour.

(iii) *Answers to questions*

A Minister has to answer a question on any day. Questions are grouped under various Departments for the sake of convenience. In case a question is transferred to a particular date, it is for the Minister to answer it or arrange to have it answered by the Whip or the Parliamentary Secretary.

(iv) *Examination of questions*

As soon as a manuscript or typed question is handed in, it is examined at the Table or by one of the clerks in the Table Office. If the Clerk at the Table considers that the question is admissible, he straightaway puts it in one of the five large envelopes for the purpose which are removed from the Table from time to time. If he has any doubt regarding a particular question, he notes his objection shortly. For instance, he would just say one word "Argument" and instruct the Table Office to issue a card to the member requesting him to see one of the Clerks at the Table. The note may be reproduced as follows :

Argument. Send card.

As soon as the Table Office has sent the card it makes one word note "sent". Where a longer note is required, the Clerk at the Table of the House attaches a slip to the question and asks the Clerk in the Table Office to get into touch with the Minister's Secretariat in order to find out whether the question was within the sphere of the Minister's responsibility. He may also ask the Clerk to look into certain matters arising out of the question. Again he may ask that a check may be made whether a similar question has been answered during the same session.

Questions in regard to which a doubt has arisen or a card has been sent to the member or an enquiry has been made from the Minister's Secretariat are put in rubber bands so as to be easily distinguishable. In case a member drops in at the Table Office, opportunity is taken to have a talk with him to clear up the matter.

In the Table Office is hung up a chart which shows the person who should be rung up regarding questions in the Minister's Secretariat. As soon as any information is required by a clerk in the Table Office, he looks at the chart, rings up the appropriate person and asks him to furnish the information. It is the business of the Secretary in the Minister's Secretariat to get into touch with the Department and get the necessary information and pass it on to the Table Office. The Clerk in the Table Office may also

discuss certain aspects of the question with the Minister's Secretariat in order to form his own opinion on the merits and admissibility under the rules.

Questions relating to the Executives of nationalised industries have presented some difficulty. The Speaker has given a ruling but there is wide margin for the exercise of discretion in admitting the questions. Of course one way of getting information is to write to the Minister privately or write to the head of the nationalised industry, but a member may desire publicity for his question.

The practice grew in war time of putting questions about railways when they were run directly by the Government of the day. Now the effort is to control the admission of questions relating to Executives of nationalised industries.

(v) Repetition of questions

Repetition of questions is carefully checked in the House of Commons. There are two Office Clerks who cut out all questions and arrange them under different Departments in suitable files with complete sub-headings. Mr. Fellowes, Clerk Assistant, is said to possess a very good memory and while reading a question he quickly recalls whether it is a repetition. As soon as he suspects a repetition an enquiry is made through the Table Office from the office clerks who quickly check up and answer the query. The real test, of course, is whether the answer to the previous question fully covers the present one. It is the business of the office clerks to see the answer in the Hansard. The normal practice is that no question can be put down which has been answered in the same session. Where there is a long session it is necessary to exercise one's judgment whether in view of the answer given it is necessary having regard to the text of the question that the Minister should be asked the same matter over again. If a Member insists on his point it is open to him to take the matter to the Speaker for his decision.

(vi) Printing of questions

Such of the questions as have been passed are immediately sent in manuscript form with such editing and changes as may have

been approved by the Clerk at the Table to the printers. The printers print the questions from the manuscript itself. All notices of the questions received on a particular day are printed the next morning and are circulated with the Votes and Proceedings together with the date on which notice was given included within brackets.

It is from these printed lists that Departments get first notice of the question. The Departments get two clear days to prepare their answer for a question.

(vii) *Manuscripts of questions*

Manuscripts of all questions are carefully kept for a session. It is the duty of the printer to return the manuscripts of questions. It sometimes happens that a member when he sees the printed question raises the point that he wrote something quite different. If a member can be confronted with his own manuscript question that settles the matter.

(viii) *Indexing of questions*

The Office Clerk has an index for each member's questions (Card board file). He also maintains an index of all questions subjectwise under each Department.

(ix) *Publicity*

There is no Rule which precludes a Member giving notice to the Press that he has put down a Question, before that Question has appeared amongst the Notices, though it is always advisable for him, before doing so, to ascertain that it has been passed by the Clerks at the Table.

(x) *Private or Short Notice Questions*

"Short Notice" Questions in India appear to stand on the same footing as "Private Notice" Questions in the House of Commons. Private Notice Questions in the House of Commons have to conform to the Rules of Order in exactly the same way as ordinary Questions. Unlike ordinary Questions, however, which may be passed by the Clerks at the Table, all Private Notice Questions must be submitted

to the Speaker and accepted by him as satisfying the conditions imposed by S. O. No. 8(3), that is, they must be of an urgent character, and relate either to matters of public importance or to the arrangement of business.

The Speaker also satisfies himself that the Minister concerned is prepared to answer the Question and will be present in the House when it is asked. There is nothing to prevent a Member informally warning a Minister that he intends to put down a Private Notice Question, or his informing the Press to that effect, but this would in no way affect the official routine.

XIX

LIBRARY

(i) *Introductory*

It is vital for the proper functioning of Parliament that there should be a proper library. The library cannot be run on the cheap.

In a large House say, about 12 members use the library effectively. The vast majority want quick answers, for instance who won the Derby in 1936, what was the date of report of a particular Select Committee on the reform of the House of Lords, the rise and fall of communism in, say, 20 countries. The figures have to be right and the library deliberately assumes the responsibility for it.

It is important that information vital to the discharge of their duties as Members of Parliament is presented to them in a form which is easily digestible. The practical needs of the members will have to be taken into account.

Members have no time to study. What is needed is factual information and in this connection the need for accurate facts is great. The facts that are furnished to the members should be as accurate as they can be so that their confidence in the library is fully justified. The library should aim at being a pool from which a member can draw knowledge.

The library should be staffed with persons who will do the research and present the results in such a way that the member has confidence in what is given to him. Certain members prefer to do that themselves but their number is very small.

The more intellectual help you can give to the members, the more they will rely on you. When the present librarian started three years ago there was not much to do. Now members use the library more and more. The members feel that what they can get here they can get nowhere else with quickness and completeness.

The pivot of the library is accuracy and research, with the services to provide any book which the members want.

A member may read a newspaper and notice some reference to a book. He comes and mentions it to the Librarian or one of his Assistants. Everyone has to be on the alert and the quickest means must be available to secure any book that a member desires.

(ii) *Procedure*

The House of Commons Library is informed four or five days in advance as to the major Bills that will be dealt with. They do not know the order in which the Bills will be actually taken up.

The bibliography that is prepared by the Research Assistants contains all the main sources of information on the subject, for instance, Hansard, Parliamentary papers, official reports and other sources and books. The preparation of a bibliography on a Bill of normal size would require at least a week's work on the part of one of the Research Assistants. The Research Assistants tap all sources, Government Departments, universities, private persons, industry and all people who are anxious to give information. This is obviously in addition to any published and easily accessible records.

There are forms which members fill in as requests for information. Copy of the information supplied to members is kept and indexed so that if the same information is required again it can be readily furnished.

Newspapers afford a very valuable source of material on subjects of legislation, particularly the "Times" of London, the "Manchester Guardian" and the "Spectator". All these three papers publish an annual index. The Library staff go through the index and pick up the issues which contain articles or items which have a bearing on the subject coming up for consideration.

In the case of newspapers which do not publish an index, or for periods for which index may not be ready, they get into touch with the Newspaper office, fix up a time with them, go to their office where, of course, they maintain a card index, and from their

set find out whether any article or item has been published by them. They bring that issue, have the article photostated and return the file copy to the newspaper office.

(iii) *Library Committee*

There is a Library Committee of the House. It is composed of 12 members who are chosen according to the strength of the parties in the House. The Committee chooses a Chairman. This Committee acts as a cushion between the Library staff and the members. The Committee acts as an Adviser to the Speaker through the Librarian.

(iv) *Recruitment*

Recruitment for the posts of Research Assistants is very carefully made. The Librarian of the House of Commons asks the University Appointments Boards in the various Universities to send up names. It is normally the duty of these Appointments Boards to find appointments for young men and to fit in the best men in the job that is reported to them. Letters are addressed to Oxford, Cambridge, Manchester, Edinburgh and a few other Universities. The Librarian interviews the persons who are recommended. These men are usually highly qualified persons with good Honours Degree.

In the selection of Research Assistants it is always the rule not to take anyone who does not possess the minimum qualification of a Second Class Honours Degree.

These men should be tactful, they should not be afraid of saying to a member "I cannot do it at the moment as I have other things to do". The school master type is to be avoided. The Librarian said that at the end of three months' trial he could easily say whether a man was fit for the job. So far he had had no occasion to throw out anybody whom he had taken.

In the higher reaches of the staff men and women are trained to take up the work as a vocation. They feel that they are called to it. The oldest of the Research Assistants on the staff of the House of Commons is 36. It is the practice to take men at a young age.

There is at present a staff of 19. That is not really enough in view of the increasing volume of work and the use that members make of the Library.

(v) *Qualifications of the Librarian*

The librarian of a parliamentary library should be experienced in (1) Administration, (2) Knowledge of books, (3) Knowledge of Parliamentary Papers.

(vi) *Books and Publications*

The Library of the House of Commons gets direct from publishers all books at a special rebate of one-third of the price. Government publications are received free.

In the opinion of the Librarian of the House of Commons it saved money in the end if the members got their information quickly and the Government Department was not bothered.

It was absolutely essential that one of the men at least in the Library should have a good knowledge of books.

(vii) *Indexing*

Statistical matters published by foreign countries are always indexed.

All periodicals on a particular subject are kept in a separate box. Those which are unclassifiable are kept separately. U.N.O. publications are colossal. They are kept separately and a separate index maintained.

There is a separate catalogue of newspapers.

(viii) *Photostat*

"Photostat" is an indispensable time and labour saving device for a Legislative Reference Section. It is a device by which printed, typed or manuscript copies can be photographed. For instance, an article in a periodical may extend over twenty pages. It would be waste of time, labour and money to have the whole of it typed.

XX

HOUSE OF LORDS.

Talk with Mr. R. W. Perceval—one of the Senior Clerks in the House of Lords

About 300 members of the House of Lords take interest in its proceedings and attend the House from time to time. The normal attendance in the House of Lords is about 90. Most of the members who attend the House of Lords are Peers who have been created for the first time (*i.e.*, first creations or their sons). In that sense it may be said that from a practical point of view the House of Lords is not a hereditary Chamber. Historically the House of Lords was not a hereditary body. It was later that the Peers requested that they be permitted to come in and they were asked as to a garden party.

Of about 300 members who attend the proceedings of the House of Lords from time to time, about 100 are active members with political affiliations. The remaining 200 members are ordinary members who may have views on political affairs but have not definitely allied themselves with any political party. It is to this group that men in the realm of industry, finance, letters (Lever-Hulme, Keynes, Lindsay), etc., generally belong. These men have made their mark in various spheres of life and their opinion carries weight. These ordinary members of the House of Lords exercise a considerable influence over the politicians who are in a minority. When it is likely that political feeling may run high, it is these men who take a commonsense non-political view of matters and make their influence felt over the politically minded group in the House of Lords.

Proposals have been made from time to time for the reform of the House of Lords. One proposal was that the number of hereditary Peers may be limited to say a hundred. If the House of Lords is reformed, it is obvious that its influence will be greater and with the talent that is represented in it, it may compete with

the House of Commons and to a certain extent the pendulum may swing in favour of the Lords. This may perhaps be one reason why all proposals for the reform of the House of Lords have foundered.

Recently the Parliament Act of 1911 has been amended so as to reduce the suspensory veto of the House of Lords from two years to one year. In fact if the provisions of the amended Act are considered in the light of the procedure and the power of the Government to summon Parliament from time to time, it is said that the House of Lords can now delay legislation for a period of six months only.

The Lord Chancellor in the House of Lords occupies a peculiar position. He cannot decide points of order or regulate speeches. It is the Clerk at the Table who calls out the first speaker and other and subsequent speakers just get up and make their speeches. The main function of the Lord Chancellor is to put questions and motions. This peculiar position of the Lord Chancellor arises from historical origins. He is a Member of the Cabinet and as such he makes speeches in the House of Lords.

In the House of Lords three questions are put down on two days. The Lord Chancellor has no power to amend the questions. If a question requires amendment the normal practice is for the Minister to get into touch with the member who has given notice of the question and ask him to leave out certain words or amend his question in a certain way. In the House of Lords there is a debate on these questions.

In the House of Lords the rule of reason and commonsense prevails.

XXI

PROROGATION OF PARLIAMENT

On the 25th October, 1948 the proceedings connected with the prorogation of Parliament took place in the King's robing room. 30 members of the House of Lords were present. On this occasion the House was not prorogued earlier as usual. The prorogation took place only a day before the opening of Parliament on the 26th. It usually takes two or three days to have the necessary ceremonies connected with the opening of Parliament. In view of the international situation and other matters it was thought desirable not to prorogue the Parliament earlier as usual.

The King was not present in person and the Lord Chancellor's Commission was issued under the Great Seal. The Lord Chancellor was commanded to deliver His Majesty's Speech in his own words. The Lord Chancellor spoke sitting on the wool-sack. The other Commissioners sat beside him. As soon as the Commissioners took their seat on the wool-sack, the Lord Chancellor said as follows (addressing the Black Rod) "Do the Commons know that the Lords Commissioners desire their immediate presence here to hear the Commission read". The Black Rod immediately left to inform the Commons. As soon as the Speaker and members of the House of Commons came they stood behind the bar and bowed to the Lord Chancellor and the Commissioners. The Commissioners acknowledged by taking off their hats a number of times. Lord Stansgate was one of the Commissioners. The Lord Chancellor read out the Commission which opened with the words "We prorogue this Parliament on Tuesday, the 26th October...".

NOTE.—The House of Parliament is a palace and the Lord Chamberlain who is a court official is in charge of the palace of Westminster.

XXII

TALKING POINTS

(i) *Committees*

1. In the Committee Office detailed acknowledge of procedure is not essential. It is a good place to put new men in, particularly those who have a capacity to write essays.

2. It is for the Speaker to decide as to which Standing Committee a Bill should go. This is called "allocation".

3. There is a good account of the history of Committees in Redlick.

4. When, as sometimes happens, six standing committees are in session, it is as bad as dealing with six Parliaments inasmuch as the standing committees are a microcosm of the House and the procedure is similar.

5. The Departmental Manual relating to Committee and Private Bill Office procedure and practice will have a new edition in so far as it relates to Standing Committees.

6. There is a volume for the guidance of Chairmen of Standing Committees.

7. In the Public Bill Office the duties of Clerks relating to amendments in Committee are set out in detail.

8. Committees A, B and C have been occupied with Government business. It was decided, however, that Committee D shall be the Committee on which Government Bills will not have precedence.

9. Date and time of the first meeting of Committees is settled by the Chairman and subsequent dates are fixed by the Committee itself. It is the duty of the senior clerk of the Committee to enter the date in a Register.

(ii) *Amendments*

10. It is the duty of the Draftsman to advise the Minister as regards amendments, particularly whether the amendments which are being agreed to fit in the Bill.

11. The "Amendment Paper" on which a note is made as to how the amendments have been disposed of is known as "Marked copy of Amendments".

12. The time taken by each amendment in the Standing Committee is noted. This serves as a guide to the Speaker in the selection of amendments.

13. Consolidated list of amendments is known as "Marshalled Amendments".

14. It is the printer who arranges amendments. He has with him a tabular statement showing the order in which amendments should be arranged.

15. There is a conference at which the Chairman of the Committee, the Draftsman and the Clerk of the Committee are present to consider whether amendments are in order. This is done every day before the Committee starts its work. Amendments which are out of order, amendments not covered by money resolutions, amendments outside the scope and trivial amendments are marked. It is in the power of the Chairman to select amendments and it is his discretion not to accept certain amendments. He exercises his discretion well and fairly.

16. When a Bill is considered at the report stage it is the practice to hold a conference to consider the amendments at which the Speaker, all the three Clerks, the Draftsman and the Senior Clerk who was present at the Standing Committee are present.

17. It is on the "Amendment Paper" that a full note is kept as to the disposal of the amendments, that is to say, whether an amendment was agreed to, negatived, or withdrawn. "Agreed to" is abridged as "Agd. to", "negatived" as "Negtv.", "Withdrawn" as "Wdn".

The copy of the Bill in which the amendments are kept up by the Clerk of the House as they are made in the House is known as the "House copy" of the Bill.

(iii) *Bills*

18. The printing of Bills is done by the Hansard Printers.

19. Bills for the session are placed in a separate file.

20. For the last ten years no Bills except Government Bills have been passed in the House of Commons.

21. As a rule the Bill is available the next day after introduction. It is circulated to members.

(iv) *Questions*

22. Questions and their answers do not appear in the Votes and Proceedings.

23. On Friday marshalling of questions is done for two days, *viz.*, Monday and Tuesday.

24. Galley proofs of grouped questions are sent by the printer to the Table Office for information so as to help them to answer queries by members and also check up marshalling.

25. 60 to 70 questions are answered in the House of Commons in an hour.

26. There are no standard forms for giving notice of questions.

27. Two clear days' notice of a question is required.

28. There are various devices by which questions can be made admissible. For instance, where a question asks what suggestions have been made, it is assumed that some suggestions have been made and that there is a factual basis for the question.

29. Twentyeight files are kept for all Ministries in which questions for the current session are indexed under suitable headings. These files are kept for one session only as after the session is over complete information is available in the index to the Hansard.

30. Five minutes are taken up by prayer and the actual time available for questions is only 55 minutes. The method of asking and answering questions is the same though the questions and answers are shorter than in India.

(v) *Library*

31. Statistical research is done by a staff of Research workers of the House of Commons. The Statistical Section actually started functioning about two years ago, of which nearly a year and a half was devoted to doing the spade work and collecting books and periodicals of statistical importance. When an important debate is to take place in the House the Assistants prepare memoranda containing information of statistical value to the participants.

32. Before the Library was organised it was necessary to clear away the vast rubbish of the past. The House of Commons library used to be the best club in London for talk. Legislation was considered secondary. All that has changed now.

33. There is a report from the Librarian to the Library Committee which gives an account of the activities of the Library and the bibliographies that have been compiled.

34. There is not heavy work when the House is not sitting. That means a six weeks holiday. They come on one Saturday in four.

35. The Congress Library in America is British Museum Library and House of Commons Library combined. There are 200 Research workers in it.

36. The Lords also use the Library of the Commons. Private members work on their briefs in the Commons Library.

37. The Librarian sometimes listens to debates in the House and brings information which may be valuable to the Library.

38. Every Monday at 11 o'clock the Librarian calls a meeting of the members of the staff (which usually lasts for well over an hour) to discuss matters of administration of the Library. The members of the staff put forward suggestions for improvement in the working of the Library and bring any complaints they have to his notice.

39. The Librarian also interviews members of the general public and Members of Parliament.

40. The present Librarian of the House of Commons is an author and has written a number of books in English and French.

Occasionally he visits libraries in other countries like Switzerland, Belgium, Holland, etc., with a view to studying their organisation and working and also to select publications on an exchange basis. He is a man of very wide experience and knowledge.

41. The Assistant Librarian reads up new books and selects books for the Library. Members who may be interested in any particular subject contact him and he gives them an idea as to where to find the material in which they are interested. He has a general idea of almost all subjects.

(vi) *Miscellaneous*

42. "Dressing the Table" is the technical expression in the House of Commons for sending up arranged papers to the Table. Bills are put in covers and placed in the Table Office so that they may be sent to the Clerks at the Table as and when they are required.

43. May at pages 163—175 shows clearly the privileges which members have not got and how the matter of privileges squares with the jurisdiction of courts.

44. Public Accounts Committee examines irregularities and maladministration.

45. After the rising of the House one of the Office clerks from the Hansard makes it a point of being present in the Votes and Proceedings Office for any official notes that may be required in connection with the more accurate printing of the Hansard.

46. Normally the bulk of the staff responsible for printing of Votes and Proceedings comes at 5 P.M. and stays on till the job is finished. That is what happens from Monday to Thursday. There is a day staff for odd jobs.

47. Any extraordinary things are noted by the Superintendent in a special note book which is, so to say, his index to the Votes and Proceedings.

48. The Votes and Proceedings may be taken as the Proceedings of the House in a brief form.

49. In the House of Commons it is the practice to issue an alphabetical list of members.

50. Notices given during say Monday are printed on Monday night and issued as notices given on Tuesday morning.

51. The Order Book is printed for convenience of reference.

52. The Order Book which is printed daily contains all outstanding business of the House.

53. Hansard cut their copy at 10 P.M. The remaining matter for the meeting is continued in the next number.

54. Government Departments send messengers to get their copies of Parliamentary papers in connection with the business of the House. To certain people papers are distributed by hand. Members can pick up papers at the Vote Office. To those who live outside a radius of three or four miles, papers are posted.

55. A Register of temporary laws is maintained in the House of Commons.

56. There is a return issued which is called the "Return of Public Bills". This is a weekly list of pending Bills.

57. The following papers are placed in separate covers on a table in the Public Bill Office :

- (a) Votes and Proceedings.
- (b) Private business.
- (c) Notices of motions.
- (d) Questions, motions and orders of the day and supplement to vote.
- (e) Divisions.
- (f) Order Book.
- (g) House of Lords Papers.

The colour of the Lords is red and the Commons is green.

58. There is a statutory provision in some of the Acts of British Parliament that papers which have to be laid on the Table can be presented by being sent to the Office of the House of Commons during the existence of Parliament. That means that papers can be presented at a time when the Parliament is not in session.

59. Another edition of May's may be brought out in the near future. Several copies have been interleaved and various sections of the office are making their notes on the points which require revision.

60. All rulings in the House of Commons are kept and indexed. Where practice has varied from time to time, rulings are still kept as a Member may cite an old ruling and it would be awkward if the Clerk at the Table did not know the reference. Rulings are meant for the use of the Speaker. They are not circulated to Members. Mr. Fellowes thought that if the rulings that are collected in the House of Commons Secretariat were made available to members, they will be used as "ammunition" against the Speaker and members may argue a contrary opinion and in most cases waste the time of the House.

61. The Clerk avoids so far as possible going up to the Speaker. Sometimes he leans back and speaks to him. Often the Speaker disposes of the point raised in his own way.

62. One great advantage of having a journal is that you can quickly get all the decisions of the House in one place without turning over intervening speeches.

63. Mr. Fellowes mentioned that the journal was admitted in evidence in the Courts of Law without proof of the printing.

64. *Calling of members.*—No seats are allotted to members in the House of Commons. The Treasury Bench is of course occupied by Ministers and the front opposition bench by important Members of the Opposition. Mr. Speaker said that the best way to remember members was to first commit to memory their names. Once that mental process is complete, it is easy to fix the name label to members.

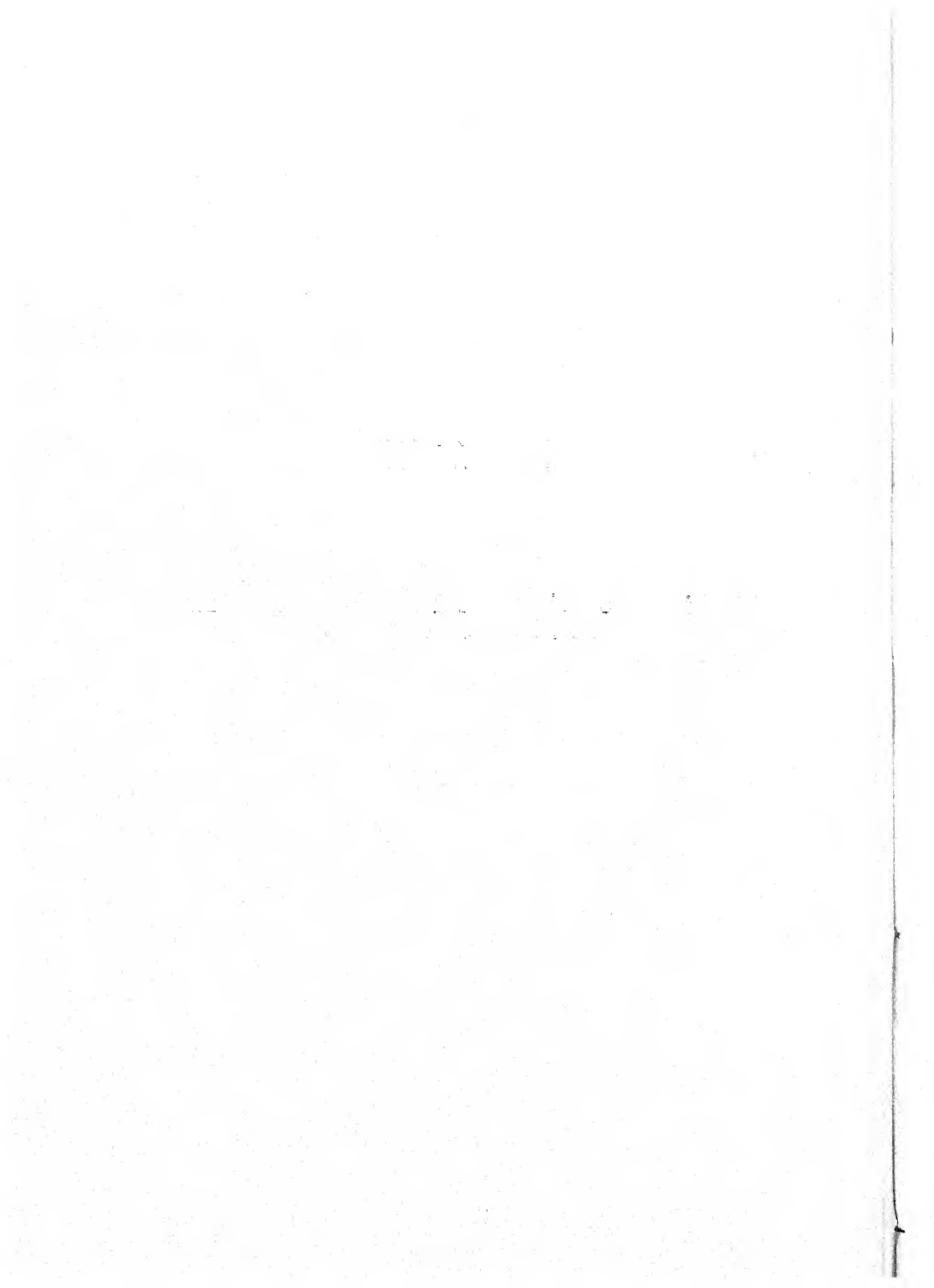
65. *Selection of speakers.*—Members write direct to the Speaker that they wish to speak. Whips also furnish lists of members who wish to speak to the Speaker and Ministers also write to him to say that they wish to speak. While we were with the Speaker he showed us letters he had received from Sir Stafford Cripps and other members. He considers the whole matter and makes up his mind provisionally. He may have to change his views

during the course of the debate owing to certain change of circumstances or other new factors coming to light. The matter was, of course, entirely in his discretion.

66. In the House of Commons the system of micros and loud speakers is absolutely unobtrusive and works excellently.

PART III

**Collection of certain useful documents obtained from
the House of Commons.**



XXIII

PUBLIC BILL OFFICE

Amendments

All amendments to Public Bills come to the Public Bill Office and it is the responsibility of the senior Clerk on duty to ensure that these are checked before being sent to the Printer (see below).

The Clerk in charge of Supply is responsible for the checking of amendments of Votes or items in Committee of Supply.

A. PUBLIC BILLS

General

[For arrangement and admissibility of amendments see Manual of Procedure, 1941 Edition, paras. 182, 184 and 130 (note).]

It should perhaps be explained to begin with that a bill is divided into :—

Title

Preamble (if any)

Enacting words

Clauses

Schedules.

A *Clause* is sub-divided into sub-sections numbered (1), (2), (3), etc., paragraphs numbered usually (a), (b), (c), etc., and sub-paragraphs numbered usually (i), (ii), (iii), etc. When a bill becomes an act a clause becomes a section so that references in the text of the bill or of an amendment are to sections and not clauses. Sections are referred to as "section two of this Act" for example. and not "section 2".

A *Schedule* is divided into paragraphs numbered 1. 2. 3. which are referred to as "Paragraph 1" for example, and sub-paragraphs numbered usually (a), (b), (c), but sometimes (i), (ii), (iii). The method of numbering sub-sections in clauses and paragraphs in schedules is now standardised but there is no fixed rule about the

others. If a further sub-division is required the word "head" can be used. In many old and some modern Acts certain clauses have no sub-sections and go off into a number of paragraphs.

e.g. 10(1) This Act.....(This sub-section).
(1)

10 This Act shall apply to :—

(1) }
(2) } (These are paragraphs).

Care should be taken in going through amendments to see that the various sub-divisions are correctly referred to. Members frequently refer to "clause" for "section", and "sub-clause" for "sub-section", "sub-section" for "paragraph", etc. No amendments can be made to enacting words, no preamble can be inserted if there was not one to start with, and amendments to the title and preamble should only normally be made if necessitated by changes in the body of the bill.

The following points should be noted in going through amendments :—

- (1) Names of members should be checked. However many names are handed in to an amendment these names are cut down to six for any subsequent printing. If further names are added at a later date these appear in the blue paper on the following morning after the first six names and are subsequently cut out of subsequent issues of blue paper. If one of the first six names is removed the next name on the list moves up. The name of a minister added subsequently to an amendment in the name of a private Member (or Members) should be placed first.
- (2) The Clause, page and line should be checked with the bill.
- (3) Amendments should be read carefully for misprints and to see if they make sense and are appropriate to the place where they are to be put in.
- (4) References to Acts and Sections, etc., of Acts should be checked for accuracy but this is not considered essential for Government amendments.

- (5) Any amendments which appear to be beyond the scope or irrelevant to the subject-matter of the bill, or which impose a charge on public funds not covered by a money resolution, should be noted.
- (6) When the amendments are "marshalled" the order of the amendments should be carefully checked. (For notes on the correct order see below.)
- (7) Amendments which propose to leave out, in order to insert words when the inserted words repeat words already in the Bill were formerly not permitted, but in recent years a certain latitude has been allowed. It is often possible by a certain repetition to do in one amendment what might possibly require three. From the point of view of the Chairman, when putting the Question and arranging discussion, it is simpler to take a single amendment than several even though that amendment repeats words in the Bill. In cases of difficulty, the Table should be consulted.
- (8) *Marginal notes* should be inserted to new clauses which lack them.
- (9) Amendments which are really printing corrections such as leave out "(a)" or insert "(1)", when inserting a new paragraph or sub-section which would alter these descriptions, are normally removed from the paper and made as printing corrections if new paragraphs or sub-sections are inserted, as also are amendments to headings or marginal notes which are not technically parts of the bill. Occasionally such amendments are substantive amendments, as for example, when parts of the bill or of an act are mentioned in the text or applied. Such amendments should of course remain on the paper.
- (10) Identical amendments on the Paper are amalgamated by adding the names of the members on subsequent amendments to that first handed in. (This practice does not apply to Committee of Supply).
- (11) *Order of Amendments.*

Amendments should be arranged on the Order Paper in the order in which they ought to be called. When notice of

several amendments has been given at precisely the same place in the bill, precedence is given to the member in charge of the bill, otherwise amendments are arranged in the order in which notice of them is received. The following special points should be noted :—

- (a) an amendment to leave out certain words and to insert others takes precedence over an amendment simply to leave out words at the same place. This applies even if the latter type of amendment is in the name of the Member in charge of the bill.
- (b) an addition to an existing sub-section or paragraph takes precedence of a new sub-section or paragraph proposed to be inserted at the end of the existing one and an addition of words takes precedence of a new proviso, *e.g.* "and provided that" takes precedence of "Provided that".
- (c) there are certain special rules for amendments to bills depending on the stage at which the bill is being considered. (See below)
- (d) when the Member in charge of the bill has several new clauses he may have them arranged on the paper in any order he wishes.

(12) *Starring of Amendments.*

Once a marshalled list of amendments appears, provided that it is a separate paper and not merely attached to the Orders of the Day, new amendments are marked with an asterisk or star and a note indicates when they were handed in. In addition, old amendments which have been substantially altered are starred. Minor corrections do not matter, but the actual decision appears to rest at present with the printers, unless special instructions are given by the Table or Public Bill Office. The effect of starring an amendment is for it to lose its place on the paper.

- (13) In referring in an amendment to a proposed new clause or schedule the reference should be to the marginal note or

title of the clause or schedule and not to a number which may not be clear or subsequently falsified. *E.g.* “*The section (Penalties to this Act) shall not apply to Scotland*”. This is subsequently changed as a printing correction to “Section Ten”, or whatever is the correct number, when the bill is reprinted.

Or

“This section shall have effect as if *the schedule (Duties and Drawbacks) to this Act* were substituted for.....”
[subsequently changed to (say) Third Schedule].

- (14) The Table should be informed of any special points in connection with amendments, *i.e.* whether they appear to be beyond the scope, impose a charge, etc., before any conference that is being held with the draughtsman or on the morning of the day when the bill is to be taken. The Table should also be informed of all except trifling corrections discovered on the morning of the day when a bill is to be taken in the House. These are shown on the stitched copies. When the House sits in the morning, the Table should be informed at the meeting of the House of any errors in any amendments which appear for the first time that morning.
- (15) Minor corrections should be sent to the printer without consultation but members should be informed, either verbally or by letter, if alterations of substance have been made or should be made in their amendments.
- (16) The amendments to each bill, unless there are very few, should be kept in a separate file and all corrections sent to the printer should be marked in the file and ticked.
- (17) Corrections for the printer are marked “For next issue”, initialled and placed in the clip in the Office. The papers are collected by the messengers from Abbey Orchard Street or taken to the porter’s lodge in the Central Lobby.

Amendments in Committee

The Committee on a bill go through it in the following order :--

Clauses

New Clauses

Schedules

New Schedules

Preamble (if any)

Title (if any amendment is required).

Amendments on the paper are, therefore, arranged to correspond with this order. The following special points should be noted :--

- (1) Amendments to leave out a clause are not substantive amendments as the Question "That the Clause stand part of the Bill" must be put for each clause. They are, however, allowed to remain on the paper as an indication that Members wish to speak on the Clause standing part.
- (2) Postponed clauses, unless postponed to a particular place, are taken at the end of the clauses to the bill and before new clauses. Amendments to them should appear at the corresponding place.
- (3) It is important to see that the line at the end of the amendments to each clause is correctly placed as this assists the Chairman when the time comes to put the Question that the Clause stand part.
- (4) Words are "added" at the end of each clause or schedule otherwise they are "inserted".
- (5) Sometimes when in a Lords Bill there are "privilege" amendments, it is convenient to have them on the paper, particularly if there are a large number or if other amendments are put down in the name of the Member in charge of the Bill. This should be arranged in the case of a Government Bill with the Parliamentary Council. The printer should be instructed to print them in exactly the same form as in the Bill. They then appear in their proper place on the paper without brackets or underlining in the name of the

Member in charge of the Bill. If an amended form of words is required the amendment is put down in the amended form, but the Public Bill Office, House of Lords, should be notified of all amended privilege amendments when the Bill is subsequently returned to them.

Amendments on Re-committal

Bills may be re-committed either at the conclusion of Committee stage, at the beginning or end of Report Stage or as an amendment to the motion that the bill be read the third time. The most usual time is at the beginning of Report Stage. Re-committal motions should be checked and appear both as a tag to the orders of the day and on the amendment paper. In respect of partial re-committals the specific amendments (if any) referred to in the motion should appear on the Amendment Paper immediately afterwards in the order in which they should normally be for committee stage. If there are amendments to a motion for re-committal at the beginning of Report Stage proposing to add further amendments to those already mentioned, the amendments concerned are hooked up into their correct places on the paper following the motion. After the Re-committal motion and the amendments concerned there is a line and then follow the amendments on Report. The question that the clause stand part is put, except in the case of a general re-committal, only in the case of clauses which have amendments down to them or in respect of which the bill has been re-committed. If Members want to leave out a clause they move to re-commit in respect of that clause and then vote against the clause standing part.

Amendments on Report

On Report a Bill is gone through in the following order :—

New Clauses

The Bill

New Schedules

Existing Schedules

Preamble

Title

The following special points should be noted :—

- (1) An amendment to leave out a clause is a substantive amendment as no question that the clause stand part is put. It heads the list of amendments to that clause.
- (2) Words are only "added" at the very end of the bill (*i.e.* after the last word of the last schedule).
- (3) Members often put down amendments for Report stage before the bill has been re-printed after committee. These are corrected if necessary, when the re-printed bill appears, to correspond with the new pages and lines.
- (4) Amendments which increase the charge either on public money (whether covered by a money resolution or not) or local rates are out of order on Report and should be noted.
- (5) Amendments on Report are now printed "Page—, line—," (Clause) and marshalled by pages and not by clauses.

Notes on Amendments for Clerk of the House

Notes are prepared for the use of the Clerk of the House on which amendments down on Report were discussed in committee, for how long and with what fate. These notes are prepared by the first Senior Clerk in the case of bills that have been taken in Committee of the whole House and in other cases by the Senior Clerk (or Clerk, as the case may be) of the Standing or Select Committee. The most efficient way to prepare these notes in a bill taken in Committee of the whole House to which a certain number of amendments have been put down is to do so in advance of Report Stage by taking Hansard and marking on each day's amendment paper in Committee each amendment discussed, the length of the discussion and the result; also notes of consequential and "linked" amendments and amendments on Report which carry out an undertaking in Committee given by the Member in charge of the Bill (or, in the absence of such a promised amendment, by other Members). In the case of Bills taken in a Standing Committee the necessary notes are most easily made on each day's amendment paper during the sitting of the Committee. The information is then readily available to transfer, where necessary,

handed in only on the night before the bill is to be taken and the situation is further aggravated when Report Stage begins on a Friday morning. The notes should be in the hands of the Clerk of the House before any conference which he is attending with the Speaker.

Amendments to Lords Amendments

Lords Amendments are taken, and, if printed, set out in the order in which they were inserted or left out by the Lords in the Bill. Thus amendments to the Title come first. Amendments to Lords amendments are not common and are frequently not put down on the order paper, but, if so put down, should be checked in the usual way particularly to see that they are in the correct form. The form is still somewhat fluid, but examples will be given of forms which are now more or less standardised; a considerable amount of discretion, however, must be used.

Amendments to Lords Amendments can only be of the following kinds:—

- (a) Amendments to an actual Lords Amendment.
- (b) Amendments in lieu of a Lords Amendment or series of amendments.
- (c) Amendments to the Bill consequential on words inserted or left out by the Lords.

Motions are sometimes put on the paper to agree or disagree with the Lords in a particular amendment for the guidance of the House—usually as to the line the Government are taking.

Examples :

Lords Amendment in page 144, line 32:—

Mr. Smith,—

Mr. Jones,—

Line 2. after “the” insert “customs”.

Lords Amendment in page 156, line 10 :—

Mr. Robinson,—

To move, That this House doth disagree with the Lords in the said amendment.

To move the following amendment in lieu thereof :—

(Set out)

Lords Amendment in page 332, line 1 :—

Mr. Brown,—

To move, That this House doth agree with the Lords in the said Amendment.

To move the following consequential Amendment to the Bill :—

Schedule 6, page 341, leave out lines 3 and 4.

The following further points should be noted :—

- (a) When there are two Lords Amendments in the same line, or it would be helpful for other reasons, the Lords Amendment should be set out in full.
- (b) Consequential amendments to the Bill should follow immediately after the Lords Amendment to which they are consequential even though they come at a later place in the bill with other Lords Amendments intervening, but where there is more than one amendment to the same Lords Amendment they must come at the end of the amendments to that particular amendment because the consequential amendments will be unnecessary (and in fact wrong) unless the House finally agrees to the Lords Amendment. In the House, amendments to Lords Amendments must be moved before the question "That this House doth agree, etc." is proposed, but an agreement must *precede* a consequential amendment to the bill and a disagreement on amendment in lieu.

- (d) If there are no lines to refer to in the Lords Amendment, the matter should be made clear by referring to sub-sections or paragraphs, *e.g.* line 1 of proposed new sub-section (4) of sub-paragraph (o) of paragraph 1, etc.

B. MOTIONS are now checked in the Table Office.

C. COMMITTEE OF SUPPLY

Amendments to Votes or items of votes in Committee of Supply are also checked. When Supply is an operative order of the day the order of amendments on the paper is governed by the order in which the votes are down to be taken, or the order in the Vote on Account or "roll-up" of Supply, as the case may be. The names of Members who hand in identical amendments to the same vote or item are not put together as they may wish to raise different subjects and are entitled to have their names down separately.

XXIV

VOTES AND PROCEEDINGS—MAKE-UP AND DISTRIBUTION

The publication is split up into a number of parts comprising :—

1. Vote (proceedings of the day's sitting).
2. Notices (questions for oral and written reply, and motions handed in during the sitting; Order Paper for the next sitting).
3. Standing Committee Proceedings.
4. Supplement (notices of amendments to Bills handed in during the sitting, and amendments for consideration at the next sitting).
5. Divisions (full lists of each division mentioned in the Vote).

Copies of the complete publication are not issued automatically to everyone; as an economy measure, departments and individuals are issued only with those parts of the publication in which they have an interest. Furthermore, Supplement is issued only when asked for, unless there is a standing order for the inclusion of all Supplement in a department's or an individual's copies.

Members of Parliament always have the following parts in their copies :—

Vote, Notices, Standing Committee Proceedings, and Divisions.

On Saturday mornings they have in addition all Supplement relating to Bills being taken on the floor of the House so that they can peruse same over the week-end. They normally pick up their Supplement prior to entering the Chamber for the sitting, and in addition they can have it delivered to their private addresses together with their Votes and Proceedings if they specially request it.

Priority is given to the production and distribution of Members' copies and to those of a small number of privileged persons holding high office in the Government and the House. Unless a very late sitting prevents it these copies are always delivered to the House of Commons Vote Office by 7-30 A.M. for delivery by special messengers to the respective addresses.

Second priority is given to another list of privileged offices and individuals who have their copies delivered by special messengers of the Press as soon as Members' copies have been dealt with.

Other offices and government departments collect their own copies from this Press, whilst provincial offices have their copies sent by post.

XXV

THE SERJEANT-AT-ARMS

1. *Historical*.—Appointment dates from 14th Century (1391).

Appointed by Crown "to attend upon His Majesty's person when there is no Parliament, and at the time of every Parliament to attend upon the Speaker, House of Commons". After appointment is the servant of the House.

Also "Housekeeper of the House of Commons" in accordance with the Statute of George III in 1812.

2. *Duties*.—Acting under the Speaker is responsible for:—

- (a) The maintenance of order and discipline.
- (b) The execution of warrants and orders.
- (c) The performance of ceremonial duties.
- (d) The general administration of that part of the Palace of Westminster reserved for the House of Commons.

3. (a) *The Maintenance of Order and Discipline*.—This duty best known as incidents in the House of Commons, galleries or precincts always attract considerable publicity.

In the days of Irish Members and Suffragettes commotions were frequent.

Responsible for rules and regulations regarding admission to Press Gallery and Lobby and the entry of strangers.

"Takes Strangers into custody who are irregularly admitted into the House or who misconduct themselves there."

"Brings to the Bar prisoners to be reprimanded by the Speaker, or persons in custody to be examined as witnesses."

For the better execution of these duties, he has a chair close to the Bar of the House.

Enforces the Speaker's orders.

(b) *Execution of Warrants and Serving of Orders*.—"He is entrusted with the execution of all warrants for the commitment

of persons ordered into custody by the House, and for removing them to the Tower or Newgate, or retaining them in his own custody.”

He serves, by his Messengers, all Orders of the House upon those whom they concern.

(c) *Ceremonial Duties*.—This familiar to many, “he attends the Speaker with the Mace on entering or leaving the House, or going to the House of Lords, or attending His Majesty with addresses”.

In general is responsible for ceremonial functions connected with the House of Commons.

(d) *General Administration*.—As “Housekeeper of the House has charge of all committee rooms and other buildings during the sitting of Parliament”.

Under Warrant from the Lord Great Chamberlain, Serjeant-at-Arms “Is authorised and sanctioned to occupy the Committee Rooms on the River Front the Kitchens and Refreshment Rooms and such portions of the Palace of Westminster as are prepared for the use of the House of Commons”.

In practice this entails the responsibility for the allocation of accommodation and its general supervision.

4. *Staff*.—To assist him he has a Deputy and Assistant, and a staff comprised of 104 persons.

(a) *Office staff* with a Clerk in Charge who is also the “Warrant Officer and serves all Orders of the House upon those whom they concern”.

(b) *Admission Order Office* (3).

(c) *Doorkeepers and Badge Messengers* (25) Comprised of specially selected Petty and Warrant Officers from one of the Services.

(d) *Office Keepers* (4), Attendants, Cleaners, etc. (44), usually *ex-service* men. Also part time female cleaners (24).

(e) *Police Constables* on duty at the House of Commons are under his direction.

They comprise on sitting days—

1 Inspector

1 Serjeant

52 Police Constables.

On other days—

1 Serjeant

25 Police Constables.

5. *Mace*.—The House of Commons Mace is the symbol of the Speaker's authority from the Crown, and is lent to him by the Sovereign who resumes possession of it when Parliament is prorogued.

The Mace now in use by the House of Commons dates from the Restoration (1660). The fate of the old Mace in use before the Civil War is doubtful.

XXVI

REGULATIONS AS TO GALLERIES

HOUSE OF COMMONS

(Revised January, 1947)

1. All galleries in the House of Commons are under the general control of the Serjeant-at-Arms.

2. *The Speaker's Gallery.* (6) is reserved for ladies only and is under the supervision of the Serjeant-at-Arms. A list of those holding tickets is prepared daily by the Assistant Serjeant-at-Arms.

3. *Officers of the House Gallery.* (11) is reserved for Officers of the House of Commons. Officers of the House of Lords may occupy seats if there is room. The Comptroller and Auditor General is an Officer of the House of Commons.

The Chairman of Committees receives two Orders for Monday, Wednesday and Friday; the Deputy Chairman two Orders for Tuesday and Thursday.

On days of important debate 4 seats will be at the disposal of the Serjeant-at-Arms for issue to persons having a direct interest in the debate.

4. *The Dominions Gallery.* (9) Six seats are reserved for High Commissioners up to 4 P.M. (12 Noon on Fridays) with the privilege of reserving the right to a seat at a later hour by giving notice of their intention to the Serjeant-at-Arms at the Admission Order Office before the meeting of the House that day. After 4 P.M. (12 Noon on Fridays) failing such notice, these seats will be available for Members of Dominion Parliaments on presentation of their Empire Parliamentary cards previously obtained from the Serjeant-at-Arms through the Secretary of that Association.

After 8 P.M. (Mondays to Thursdays).—When it is seen that the Gallery is not filled, the Serjeant-at-Arms in the Chair will, if he so desires, communicate with the Empire Parliamentary

Association in order to ascertain their requirements for the rest of the evening. He will then allocate places at his discretion in respect of those seats not required by the Association.

5. *The Peers' Galleries.* (24) are reserved for actual Members of the House of Peers, but, by custom, the following officials of the House of Lords are also allowed to use them:—Black Rod, Serjeant-at-Arms, and the Clerk of Parliaments.

The 12 seats allocated to the Peers in the West Gallery will, if unoccupied at 5-30 P.M. be at the disposal of the Serjeant-at-Arms in the Chair and included in the numbers shown on the number board after this hour. On no account will any Peers, who may be occupying seats in this Gallery at 5-30 P.M. be disturbed.

6. *The Ambassadors' Gallery.* (9) is reserved for Ambassadors. In the absence of an Ambassador or Minister, where a *Charge d'Affaires* is appointed, the *Charge d'Affaires* may have access to the Ministers' Gallery on production of his card. (See para. 8.)

7. *The Distinguished Strangers' Gallery.* (6) is at the disposal of the Speaker. Judges, eldest sons of Peers, also Scottish and Irish non-representative Peers and Members of the Diplomatic Corps are admitted to this Gallery when the list for the gallery is not full on presentation of their visiting cards. A list of those holding orders is prepared daily by the Speaker's Secretary.

8. *The Ministers' Gallery.* (11) The front row of this Gallery is reserved for the B.B.C. up to a maximum of six persons. The remaining six seats are reserved for Ministers of Foreign Countries up to 3-30 P.M. (12 Noon on Fridays) or to a later hour by giving notice beforehand. If not occupied by this hour, the seats in this Gallery revert to the Special Gallery and are at the disposal of the Serjeant-at-Arms in the Chair. In the absence of an Ambassador or Minister where a *Charge d'Affaires* is appointed, the *Charge d'Affaires* may have access to the Ministers' Gallery on production of his card. (See para. 6).

9. *The Special Gallery.* (14) the seats in this Gallery are

by 3 P.M. (11-30 A.M. on Fridays) are at the disposal of the Serjeant-at-Arms in the Chair. This number may be increased by six seats in the Ministers' Gallery after 3-30 P.M. (12 Noon on Fridays). (See para. 8).

10. *The Official Gallery.* (8) is reserved for officials of Government Departments. The names are given to the Speaker beforehand and a list prepared daily by the Speaker's Secretary.

11. *Under the Gallery.* (5) is reserved for men only and is at the disposal of the Serjeant-at-Arms. It is intended primarily for men having direct interest in the debate. Application for these is made to the Assistant Serjeant-at-Arms.

The remembrancer of the City of London, the Attorney General and the Solicitor General, if not Members of the House, are admitted to this Gallery without orders

The principal secretaries of the Party Whips are permitted to use the two corner seats.

The Leader of the Opposition, through the Chief Whip, is issued daily on request, with one Order marked "special" and the holder's place is reserved until he informs the Doorkeeper that it is no longer required.

Parliamentary Agents, on application to the Admission Order Office are given priority after 6-15 P.M., when Private Bills are under discussion.

12. *South Gallery.* (14) is at the disposal of the Serjeant-at-Arms and like "Under the Gallery" is reserved primarily for persons having a direct interest in the debate. Application for these is made to the Admission Order Office.

13. *Members' Galleries.* (80) Two Orders for these Galleries are issued to forty Members on each sitting day in rotation in alphabetical order, six days in advance. No application from Members is necessary. These are made up as under :—

Members' Gallery	... 54 seats.
East Gallery	... 6 seats.
West Gallery	... 6 seats.
South Gallery	... 14 seats.

With the present number of Members (640) and seats available (80), Members receive two Orders every 16 sitting days.

In order to ensure continuity, whenever a Bye Election is pending, the Orders due to the late Member will be retained by the Serjeant-at-Arms. After the Bye Election, the new Member will take the place of his, or her, predecessor, in the Roster regardless of the alphabetical order.

These Orders are valid up to 3 P.M. (11-30 A.M. on Fridays). From 2-30 P.M. (11 A.M. Fridays), up to the time the general public are admitted, Members may apply at the Admission Order Office for Orders of Admission, two per Member. Holders of the Orders will take their place in the queue, if any, with the Embassy and Legation Cards, but after any party arranged for that day (see end of paragraph) and be admitted as vacancies occur. The number of Orders so issued will not exceed that which, in the opinion of the Clerk on Duty will be admitted to the Galleries before the general public.

At 4-15 P.M. (11-30 A.M. on Fridays) or earlier with the permission of the Serjeant-at-Arms in the Chair, the general public are admitted to vacant seats without applying to a Member.

The second row, East (4 seats) and West (4 seats) Galleries allocated to the Press, will if unoccupied by Members of the Press be available to the public from 4-15 P.M. (12 noon on Fridays).

Six King's Scholars from Westminster School, if wearing their Caps and Gowns (if in possession) will take their place in the queue, if any, together with visitors from the Embassies and Legations and be admitted as vacancies occur. The other boys from Westminster School must join the queue for Public Gallery Orders.

High Commissioners, Embassies, and Legations may each issue daily four cards which, on presentation at the Admission Order Office, entitle the holder to an Order for the Gallery after 3 P.M. (11-30 A.M. on Fridays) if there is room. These cards will have priority over the general public throughout the day.

Parties of *bona fide* students, not exceeding five in number, from approved educational establishments, may be admitted after

2-30 P.M. (11 A.M. on Fridays) on production of a written authority from the Serjeant-at-Arms provided there is room in the Gallery. Parties normally will be limited to one a day.

Orders issued to Members which are not required will be returned to the Admission Order Office.

14. *Dominion and Foreign Press*.—(a) 18 seats of the Members' Gallery will be available to *bona fide* journalists accredited to a recognised paper or agency of the Empire and Foreign Press as under :—

West side	... 5 front seats.
	4 second row seats.
East side	... 5 front seats.
	4 second row seats.

Normally seats in the West block will be allotted to the Empire and American Press, and seats in the East block will be allotted to the remainder of the Foreign Press. This allocation need not be rigidly observed and allotments will be entirely flexible in accordance with the subject of the debate.

(b) The above 18 seats will be increased to 22 on "special occasions" (*i.e.*, when Empire and Foreign Affairs are the subject of the debate), by 4 additional front seats—2 on the East side and 2 on the West side.

(c) Application for seats may be made to the Clerks, Admission Order Office (telephone Whitehall 6240, Ext. 76), up to six days in advance, from 10-30 A.M. to the rising of the House.

In the case of the Empire Press, application will be made by the Empire Press Union.

In the case of the Foreign Press, application will be made direct by the representative of the journal or agency concerned.

(d) Admission Orders for the day's sitting will be issued by the Clerks, Admission Order Office, between the hours of 2-30 P.M. and 4 P.M. to those for whom reservations have been made, and to other journalists on application, if seats are still available.

The journalists will sign the book on receiving the Order.

(e) Admission Orders will be over-printed with a blue cross, and marked "East or West", see para. (a) above.

(f) Orders will be available throughout the day's sitting. Holders, when leaving the Gallery and not intending to return, will inform the Messenger in charge of the Gallery. This will enable their seat to be used by someone else and so ensure the maximum use being made of the available accommodation.

Similarly, holders of Orders who leave the Gallery intending to return will notify the Messenger in charge to this effect and will receive back their original order.

(g) The Serjeant-at-Arms, through the Clerks, Admission Order Office, reserves the right to fill up all, or part, of these reserved seats with the general public when satisfied that they are no longer required by the Press.

(h) Advance copies of Ministers' statements for issue to the British Press will also be handed out to the Empire and Foreign Press by Messenger when the Ministries concerned issue copies marked "For distribution to Empire or Foreign Press".

15. *Refreshments*.—Strangers may leave the Galleries for 30 minutes in order to obtain refreshments. They will receive from the Messenger in charge, before leaving, a pass on which will be entered the name of the Gallery, the time he or she should return, and be signed by the holder in the presence of the Messenger on leaving, and on return to the Gallery.

The Messenger will compare the signatures, and ensure that the pass has not been transferred.

16. *Strangers* are not permitted to read books or papers, draw or write (*see* Regulation 14 regarding Foreign Press) stand in or behind the Galleries or use opera glasses. Extra chairs may not be placed in the Galleries or passage ways.

17. *Reporters' Gallery* is reserved for representatives of journals and agencies of the United Kingdom and the Empire Press Union. Tickets are issued to individuals by name and are not transferable. The only exception to this are a few pink "Leader Writer" tickets for use only by *bona fide* members of the Press accredited to the journal to which the ticket is issued.

The second row in the East (4 seats) and West (4 seats) Galleries allocated to the Press will, if unoccupied by members of the Press, be available to the public from 4-15 P.M. (12 Noon on Fridays).

18. *Admission of Children.*—The admission of young children after 4-15 P.M. (11-30 A.M. on Fridays) is at the discretion of the Clerks of the Admission Order Office. As a general rule children under 10 will not be admitted.

19. *Members of Parliament.*—Although it is the custom for Members of Parliament sometimes to visit the various Galleries, the Messengers on duty should, if necessary, inform any Member of Parliament that it is not in order for him to retain a seat in the Gallery to the exclusion of, or on behalf of, a holder of an Order for that Gallery.

20. *Suspended Members.*—Members suspended from the service of the House under Standing Order 18, or ordered to withdraw under S.O. 20, are directed to withdraw from the precincts of the House and therefore must on no account be admitted to any Galleries of the House.

21. *Clearing the Galleries.*—When the Order is given to clear the Galleries, Messengers responsible will see that strangers immediately obey the order. As soon as the Gallery is clear, the door will be locked by the Messenger in charge.

22. *Disturbances.*—In the event of any demonstration or disturbance on the part of any stranger in any of the Galleries, the Messenger on duty will take the name of the stranger thus misconducting himself, or herself, and, if necessary, arrange for his, or her, removal from the Gallery. In either case, he will at once acquaint the Serjeant-at-Arms in the Chair of his action.

23. *Persons excluded from the Precincts.*—No person whose name is included on the list of those who are excluded from the precincts will be admitted to any of the Galleries.

These Regulations cancel all previous Regulations and amendments thereto.

XXVII

CASE OF PRIVILEGE IN CONNECTION WITH MESSRS. SCHOFIELD AND DOBSON, EDITOR AND POLITICAL CORRESPONDENT RESPECTIVELY, OF THE EVENING NEWS

References.—Report from the Committee of Privileges, dated 23rd July, 1947.

Parliamentary Debates—Hansard—12th August, 1947—Column 2275, etc.

Sequence of Events—12th August.

12 Noon.—Messrs. Schofield and Dobson visited the Serjeant-at-Arms' Office at 12 Noon. Procedure explained and practised.

2-30 p.m.—Messrs. Schofield and Dobson reported to the Assistant Serjeant-at-Arms' Office, and at 3 P.M. were escorted to the alcove at the South end of the "noe" Division Lobby, where chairs had been placed.

Bar Messengers cleared the seats and space behind the Serjeant-at-Arms' Chair and kept this clear throughout.

3-55 p.m.—After a short debate, Mr. Speaker said—"The Serjeant-at-Arms will now bring the witnesses to the Bar "

The Serjeant-at-Arms bowed at the Bar and Table, shouldered the Mace and walked straight towards the door of the "Noe" Lobby, where, just inside, the Assistant Serjeant-at-Arms and Messrs. Schofield and Dobson were standing.

*A Bar Messenger moved the Serjeant-at-Arms' Chair and Table clear.

*There was no Bar "to make".

Messrs. Schofield and Dobson, followed by the Serjeant-at-Arms, moved in single file behind and parallel to the Bar and together turned to the right, bowed, took a pace forward, bowed, took a pace forward and bowed. (This procedure was necessary, as it was impossible in the present Chamber to advance straight to the Bar. Compare the procedure, etc., when the Speaker visits the House of Lords).

*Owing to the Commons being in the House of Lords Chamber,

The Deputy Serjeant-at-Arms with one Bar Messenger stood inside by the "Aye" Lobby door. The Assistant Serjeant-at-Arms, with the other Bar Messenger, stood inside by the "Noe" Lobby door.

Both the Deputy and Assistant Serjeant-at-Arms were in uniform.

The Speaker asked the witnesses certain questions and then said—"I direct you now to withdraw".

The Serjeant-at-Arms and Messrs. Schofield and Dobson together bowed, took one pace back, bowed, took one pace back and bowed again, then turned to the right and walked, the Serjeant-at-Arms leading, towards the "Noe" Lobby. Here the Assistant Serjeant took charge of Messrs. Schofield and Dobson, and the Serjeant-at-Arms returned to the Bar, bowed, replaced the Mace and returned to his Chair.

5-26 *p.m.*—Messrs. Schofield and Dobson were detained in the Serjeant-at-Arms' Office until the Leader of the House (Mr. Herbert Morrison) moved—"that in the circumstances, it is not necessary to proceed further in the matter of the Special Report from the Committee of Privileges".

Note.—Should a punishment have been inflicted, the Serjeant-at-Arms would have been directed to bring Messrs. Schofield and Dobson to the Bar again, and the procedure of the original entry would have been repeated.

5-35 *p.m.*—Messrs. Schofield and Dobson were informed by the Assistant Serjeant-at-Arms of the decision of the House and released.

The following inaccuracies in B.B.C. and Press are of interest:—

"Serjeant-at-Arms with the Mace on his left shoulder."

"Messrs. Schofield and Dobson entered led by the Serjeant-at-

CASE OF PRIVILEGE IN CONNECTION WITH
MR. ARTHUR HEIGHWAY, EDITOR OF THE WORLD'S
PRESS NEWS, AND MR. GARRY ALLIGHAN, M.P.

Reference.—Hansard, Vol. 443, No. 8—30th October, 1947.

Sequence of Events—30th October.

3-10 *p.m.*—Mr. Heighway arrived at the Serjeant-at-Arms' Office.

3-25 *p.m.*—The Assistant Serjeant-at-Arms proceeded with Heighway to the alcove at the South end of "Noe" Division Lobby, where chairs had been placed (exactly the same as on 12th August in the case of Messrs. Schofield and Dobson).

Note.—It was cold and draughty in the alcove and had there been a longer sojourn there a stove would have had to be provided.

Bar Messengers cleared the seats and space behind the Serjeant-at-Arms' Chair and kept this clear throughout.

3-50 *p.m.* (approx.).—Mr. Speaker called upon the Lord President, who moved formally—"That Arthur Heighway do attend this House forthwith."

*The Serjeant-at-Arms immediately proceeded to the Table, bowed and said—"I beg to inform you, Sir, that Arthur Heighway is in attendance." Mr. Speaker directed that he should be brought to the Bar.

The Serjeant-at-Arms bowed, shouldered the Mace and walked straight towards the door of the "Noe" Lobby, where, just inside, the Assistant Serjeant-at-Arms and Heighway were standing.

†A Bar Messenger moved the Serjeant-at-Arms' Chair and Table clear.

†There was no Bar "to make".

Heighway, followed by the Serjeant-at-Arms, moved behind and parallel to the Bar and together they turned to the right,

*This report by the Serjeant-at-Arms was not made in the case of Messrs. Schofield and Dobson.

†Owing to the Commons being in the House of Lords Chamber.

bowed, took a pace forward, bowed, took a pace forward and bowed. (This procedure was necessary, as it was impossible in the present Chamber to advance straight to the Bar. Compare the procedure, etc., when the Speaker visits the House of Lords.)

The Deputy Serjeant-at-Arms with one Bar Messenger stood inside by the "Aye" Lobby door. The Assistant Serjeant-at-Arms, with the other Bar Messenger, stood inside by the "Noe" Lobby door. Both the Deputy and Assistant Serjeant-at-Arms were in uniform.

The Speaker then formally explained to Heighway the nature of the charge against him, and informed him that the House was willing to hear anything he might wish to say.

Heighway then made a statement.

The Speaker then said—"I direct you now to withdraw."

The Serjeant-at-Arms and Heighway together bowed, took one pace back, bowed, took one pace back, bowed and turned to the right and walked, the Serjeant-at-Arms leading, towards the "Noe" Lobby. Here the Assistant Serjeant-at-Arms took charge of Heighway, and the Serjeant-at-Arms returned to the Bar, bowed, replaced the Mace and returned to his Chair.

Allighan was then dealt with and withdrew at 4-10 P.M.

4-10 *p.m.*—Heighway and Allighan were detained in the Serjeant-at-Arms' Office until the Division at 9-15 P.M. on Allighan's punishment—(*i.e.*, six months' suspension or expulsion—expulsion resolved by 175 to 75 votes).

Just before this Division ended, the Assistant Serjeant-at-Arms conducted Heighway to the alcove, and the Deputy Serjeant-at-Arms conducted Allighan to the Lobby. As Allighan's punishment was expulsion, he was not required to appear again in the Chamber and was conducted off the precincts by the Deputy Serjeant-at-Arms and the Inspector of Police, the former reported to the Speaker as soon as Allighan had left.

As soon as Allighan's case was disposed of, Heighway was directed by Mr. Speaker to be brought to the Bar.

The Serjeant-at-Arms fetched him to the Bar, using the same procedure as before.

After being reprimanded by Mr. Speaker, Heighway was directed by him to withdraw.

The Assistant Serjeant-at-Arms conducted him back to the Serjeant-at-Arms' Office, where he collected his overcoat and then left the precincts of the Palace, conducted by the Inspector of Police.

XXIX

CASE OF PRIVILEGE IN CONNECTION WITH MR. EVELYN WALKDEN, M.P.

Reference.—Hansard, Vol. 443, No. 8—30th October, 1947.

Sequence of Events—30th October.

Mr. Walkden's case was taken after Mr. Heighway had been directed by Mr. Speaker to withdraw from the Chamber. He had been escorted (unnecessarily) earlier in the evening to the Government Whips' Office, and from there was told by one of their officials to wait in the Lord President's room until called upon.

Apparently nobody in the Whips' Office made themselves responsible for his appearance in the Chamber when called upon, so there was delay.

At this moment the Deputy Serjeant-at-Arms was in charge of Allighan and the Assistant Serjeant-at-Arms was in charge of Heighway, while the Serjeant-at-Arms was in the Chair.

The Assistant Serjeant was sent for by the Serjeant and instructed to take charge of Walkden. The Assistant Serjeant, having handed Heighway over to the Deputy Serjeant, who passed him over to the Inspector of Police to escort from the precincts of the House, took charge of Walkden during the debate in the House on his case. He remained in or near the Chief (Government) Whip's Office until the discussion showed signs of drawing to a close, when he was brought into the Law Lords Corridor by the Assistant Serjeant-at-Arms and waited outside the entrance into the "Noe" Lobby.

On the Speaker directing that he should attend in his place, the Assistant Serjeant fetched him and instructed him to go to his place, where, as he only received a Reprimand, he remained afterwards.

HANSARD

"Hansard" is the short name for the official and "substantially verbatim report" of the proceedings of Britain's Houses of Parliament. It is published daily by H. M. Stationery Office when Parliament is sitting. It contains the report of the previous days sitting and is on sale to the public.

There are two daily issues of "Hansard", one for the House of Commons and the other for the House of Lords. Members of both Houses may make minor corrections in the reported text of their speeches before the copy is sent to the printers, but they may not make additions or deletions which would materially alter the meaning of what was said.

Why are the official Reports called "Hansard"? Like so many things in Britain the word Hansard has a meaning which can only be understood by delving into history.

In 1800 William Cobbett, founder of "Cobbett's Weekly Political Register" began to issue "Cobbett's Parliamentary Debates". His motive was chiefly due to his feeling that the inadequacy of Parliamentary reports in the daily press reflected little credit to the country. The "Parliamentary Debates" were compiled from press reports and other sources of information. Anyone interested in the fascinating story of the struggle which took place from 1694 onwards between Britain's Press and the House of Commons should study the pages of "The Reporters' Gallery", by Michael Macdonogh.

It was on December 21, 1694, that the official minute of the House records that "Dyer, a news-letter writer, has presumed in his news-letter to take notice of the proceedings of the House". Summoned to the Bar of the House, Dyer, "acknowledging his offence humbly begged the pardon of the House for the same". He was "upon his knees reprimanded by the Speaker for his great presumption" The dispute, of which this was the first incident.

reached its climax in the episode in which the Commons sent the Lord Mayor of London to the Tower in 1771.

Mr. Cobbett's "Parliamentary Debates" were printed by Thomas Hansard, and in due course the publication became the property of the printer and was renamed in 1829 Hansard's "Parliamentary Debates". T. C. Hansard died in 1833 and was succeeded by his son, T. C. Hansard the second.

"Hansard" was published without any assistance from the Government and relied for its revenue on subscriptions from M.Ps., newspapers and clubs. It was always in financial difficulties, and in 1855 Britain's Chancellor of the Exchequer ordered the Stationery Office to subscribe for one hundred copies at a subscription of five guineas a year. These copies were for distribution amongst the Government Departments and Colonies.

In 1878, there was so much dissatisfaction with the incompleteness of the reports that the House directed that Mr. Hansard be given a subsidy of £ 3,000 per annum. At the same time a Select Committee was set up in order to consider whether there should be an official report. This was turned down largely for the reason that it would result in Ministers making authoritative statements which they might find it inconvenient to have quoted against them.

In 1888 a Joint Select Committee of the Lords and Commons again sat to consider the method of publication of the debates, and in particular to determine whether there should be a full report instead of a condensed report. The Committee recommended against an official full report and in favour of continuing the subsidy to Mr. Hansard. Next year Mr. Hansard sold his business to a new public company called Hansard's Publishing Union.

This venture proposed to report and print an independent account of the debates, asked for no subsidy and hoped to get advertising revenue. It went bankrupt in twelve months and the Stationery Office had hastily to make a contract with a firm of printers who agreed to print an account of the debates.

In 1892, as complaints about the inadequacy of the reports of the debates was widespread, another Select Committee was

appointed to try and find a solution to this problem. Its labours were abortive. Britain's Treasury then tried the experiment of letting out the contract to the lowest tender to report and print the debates. A number of contractors lost money and gained criticism under this scheme.

In 1908 another Select Committee was appointed. The late Mr. Arthur Balfour giving evidence said: "I feel myself that the House of Commons is losing by the fact that the reporting is less good of its proceedings in the papers, and I do not believe that these sketchy accounts of what goes on within our walls, even if they are impartial (which they rarely or never are) are in any sense a substitute for reasoned argument. I am aware that it is rather the fashion to attack the House of Commons, but I still think that there is no place where the difficult questions are better threshed out than on the floor of the House, and that you will never get the same closeness of argument in any news-paper articles. It is therefore a real loss to the public that they should be deprived of a very full statement of the arguments on either side, for they have in my opinion no other way of getting them."

The Select Committee expressed the view that the then existing system whereby two-thirds of the speeches of un-official Members were reported in the "Parliamentary Debates" in the third person, while Ministers and *ex*-Ministers were reported fully in the first person, was unsatisfactory and led to constant and justifiable complaints by un-official Members. The Committee recommended that the House of Commons should have a reporting staff of its own and publish a full report of each speech "which though not strictly verbatim, is substantially the verbatim report, with repetitions and redundancies omitted and with obvious mistakes corrected, but which, on the other hand, leaves out nothing that adds to the meaning of the speech".

These proposals were adopted and came into force in 1909. Eleven of the most skilled reporters of the United Kingdom were selected for the staff which was placed under the authority of a standing Select Committee. "The Publication and Reports Committee", in consultation with Mr. Speaker.

At long last, the Mother of Parliaments began to have a complete and official report of its proceedings.

So much for the origin of the reports and why for more than a hundred years the reports of the British Parliament have been called "Hansard". The name stuck even when they became official in 1911.

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